

Teri Camery

From: Sarah Grant [sgrant@westtower.com]
Sent: Wednesday, June 27, 2012 8:10 PM
To: Teri Camery
Cc: Tierney Rowe; Nathan Foster; Mike Powers; Greg Chaney; heather.campbell3@verizonwireless.com; Goode, Tom R; sitedeployment@gmail.com
Subject: USE2012 0006 SPUHN ISLAND/ AK3 SMUGGLERS COVE
Attachments: Abbreviated Smuggler's Cove - NEPA.pdf; Federal Communications Commission Fact Sheet- New Wireless Tower Siting Policies.pdf; 3. FCC siting.pdf; 4. FCC mobilephone.pdf; 5. FCC sar.pdf; 6. FCC rfexposure.pdf

Teri

Alissa and I will be out of the office tomorrow followed by a scheduled out of office for you on Friday so I wanted to address all of the concerns raised to date in a consolidated fashion and keep the distribution as we had initially intended including the legal departments and tower developer to ensure any other issues or concerns are handled in a timely fashion and in keeping with the deadlines we all face in maintaining the currently scheduled hearing date and proposed staff report schedule:

RE: USE2012 0006 SPUHN ISLAND/ AK3 SMUGGLERS COVE

1. **CONSTRUCTION ACCESS:** The construction traffic is slated to be coming out of Auke bay via commercial carrier to the island, not by way of Fritz cove. We will need to use bigger boats than can adequately put in at Fritz cove, and are amenable to a condition to the effect that Fritz cove not be used as a put in or take out spot for construction traffic.
2. **TOWER PAINTING FOR AESTHETIC PURPOSES:** There is no color proposed for the tower but we are also amenable to the condition that towers be painted, on the condition that the paint color be provided by way of a paint chip provided by or approved by a local and accessible authority named by the borough, for example a planner or someone that we can get a decision from quickly approximately 8 weeks prior to construction. That way we can arrange for factory paint at the tower fabrication point, which lasts and weathers longer. Ideally, there would be a paint spec in the condition requiring the painting so there would be no delay at all in settling on a color. With regards to aesthetics, every effort will be taken including agreeing to a condition of approval of factory paint on the tower with a color selected by the jurisdiction in order to effectively shroud it from surrounding environments, however a tree would also be ill advised in this application. As I am sure you are aware, faux trees are a matter of discussion, debate and thorough analysis by not only the CBJ but also by the independent policy consultant that is developing the CBJ tower code for review and vote. As such, it would be premature to require a faux tree in this application without a thorough analysis of the aesthetic and other impacts that a faux tree may have. Jurisdictions overwhelmingly vote in the recommendation of factory powder coated paint on a tower in lieu of a faux tree application due to the difficulty in enforcing the exact specifications of the tree branches, quality, and colors necessary to reach the intended effect of minimum visual impact on the surrounding areas and often faux tree applications result in the opposite effect, with branches deteriorating rapidly in extreme winds, cold, and direct sun exposure and conditions such as those which Juneau experiences regularly, especially on an island unprotected from strong winds and cold.

3. **NOISE OF GENERATOR** We will be proposing an Onsite Energy 30 kWe / 60 Hz / Standby 208 - 600V generator that will be utilized at the AK3 Smugglers Cove site on Spuhn Island. The noise specifications on the DS30D65 are listed at 71.7 dBA on level 0 Open power unit which means that 23 feet from the generator the dBA is 71.7. Previous cases and noise studies have definitively proven that this noise level dissipates exponentially with distance from the generator and "The current City and Borough of Juneau Municipal Code (CBJAC) were examined to determine the appropriate criteria for this noise analysis. For this type of use, the applicable noise standards are contained in Chapter 50, Commercial and Industrial Standards, CBJAC. Under Chapter 50.020, Performance Standards, noise levels from operation of this type of facility to 55 dBA at the property line during nighttime hours, and 70 dBA during other hours. Nighttime is defined as the hours between 11:30 pm and 6:00 am." the results were quantifiable dissipation and all resulting measurements were below the allowable noise levels.. Furthermore, the Spuhn Island site will be housed within a concrete shelter which will baffle the noise to nearly imperceptible levels. We are amendable to providing a noise study analysis following the installation of the facilities, as a condition of final certificate of occupancy and inspections on the Building Permit to show the units are below allowable noise requirements.
4. **PARCEL SELECTION FOR TOWER SITING:** Wireless companies go through an extremely extensive proprietary process to review and determine the viability of a site and evaluate if a particular location will fit in to their overall network design. This review begins with an overall network design, in which any existing coverage is evaluated and any significant gaps in coverage are considered. The benefit to the community and congruence with the area aesthetics and community goals and values are reviewed as well as the cost of the proposed development and significant budget review and schedule and forecasting analysis to determine if a new facility is warranted. The goal in this stage is to address a significant gap in coverage with the minimal impact to the surrounding area and community. When and if a new facility is warranted, the site acquisition team is provided a series of search rings (or areas) that are essentially points on a map with a radius indicating that a site could technically satisfy the gap in service if located within that ring meeting certain criteria. The site acquisition team searches the ring to find (among other things);
 - Perceived impact or perception on or by the surrounding community etc.
 - Appropriate ground and structure height to achieve the proposed Radio Frequency coverage objective to fill the significant gap in coverage in the area.
 - Existing wireless telecommunications facilities for collocation opportunities,
 - Property owner willing to a long term lease for the facility
 - Existing Covenants Conditions or Restrictions on the property that would prohibit the facility,
 - Land use conditions that allow as permitted or conditional use for facility
 - Access to preferably undergrounded power and high capacity telephone service to the site
 - Proximity to or obstruction to existing airplane traffic.
 - Any existing or potential Environmental or Regulatory issues or concerns with the proposed construction.
 - Soils and construction conditions at the proposed facility and surrounding parcels
 - Overall cost of the facility

It is a rather extensive process and significant due diligence including contacting landowners, reading the applicable code, pulling together relevant documentation, and working with the local jurisdictional authorities to present 1-5 final candidate packages for the wireless carrier's

review. Once several candidates are presented to the wireless carrier, they go through a trade secret multi-disciplinary review to evaluate and rank in order of preference all of the quantifiable items outlined above, including; Real Estate (cost/benefit analysis), RF to determine if that particular site situation will provide the coverage for the intended area and will fit well with the other adjacent sites to provide the best overall network design; and Construction/Operations to determine if a site is able to be constructed reasonably and will be easily serviceable once constructed and on-air. Once a candidate location is selected the following due diligence take place:

- Phase 1 Environmental analysis
- NEPA study
- SHPO study, if applicable
- TCNS if applicable
- FAA registration and filing
- FCC registration and filing
- Preliminary land use inquiries,
- Land use pre-application,
- Community meetings (when recommended by planner or required by code)
- Formal land use submittal
- Land Use and Planning Commission Hearings, if required
- Assembly hearings if required
- Building code official review and Building Permit Application
- On site construction supervision and inspections, when required

The parcel on Spuhn Island that is proposed was specifically earmarked for utilities by the developer and Verizon Wireless was specifically directed to the parcel in question by the developer due to the establishment in the subdivision plat for the use of that parcel for (wireless telecommunications) utility use on the island, for the benefit of all residents on the island as well as the surrounding community. It is our and the general understanding of the rural reserve areas on the island to be just that, reserved for green space and park use. To abandon a parcel earmarked for (wireless telecommunications) utility use and other infrastructure in lieu of the placement of a wireless telecommunications facility on a park like reserved parcel seems ill advised for the remaining residents who are not neighboring Parcel B.

5. **HEALTH AND SAFETY** With regard to the health and safety issue raised, I would defer to the Federal Telecommunications Act of 1996 that maintains jurisdiction on the issue of health effects. I have attached a primer and jurisdictional guide prepared by said jurisdictional authority hereto for your inclusion in the packet, along with the reference to previous CUP cases in which health effects were removed from consideration, just as recently as our CUP 11-2-2011 attached hereto and included by reference herein, specifically the section on Local Authority to Regulate on page 3 of 96
6. **PROPERTY VALUATION** With regard to property valuation, we have prepared and submitted a thorough appraisal analysis and report specific to this property by a well respected and recommended property appraisal company of Horan and Associates, and also refer attention to the findings in that report, which decisively resulted in no reduction to property values and some inference of the possible increase in property values from the higher speed data and voice connections made available by the facility on the island.
7. **FAA CONCERN:** We would defer to the FAA decision on this and request that the Airport Management in Juneau escalate their request through the proper channels to modify the FAA

directive on this site. We are not in the practice of proactively lighting or painting towers unless directed to do so by the FAA, due to specific requirements the FAA has on tower mapping. If we were to paint and light this tower it would not match the FAA determination and as such would not match the FAA maps, creating a potential safety issue with approaching aircraft. The liability on this issue would result in negative consequences not only to the community but to the tower owner. Considering the sensitive aesthetics and community requests for minimum visual impact, lighting the tower and painting FAA orange and white could be perceived as an eyesore to the community. The FAA is the final authority on this subject and we must comply with their directives. This is meant in no way to disrespect the local airport authority or their wishes, however the governing body is the FAA.

8. **WETLANDS CONCERNS** Terracon Consultants provided a NEPA Land Use Compliance Report & NEPA Checklist for Proposed Lattice Telecommunications Tower Site attached hereto and included by reference herein including a review of the USFWS National Wetlands Inventory map available online at the National Wetlands Inventory website indicated that wetlands are not located on the site. A copy of the NWI Map is included as an attachment to this report. As shown on the relevant USGS 7.5-minute topographic map, the site is not located adjacent to surface waters. Furthermore, a review of the relevant soil survey map did not note hydric soils at the site. A cursory review of the proposed site plans and other information provided by the Atlas Tower USA, LLC, indicates that significant grade changes will not be required based on the nature of the proposed construction. Based on the findings of this review, "No Adverse Impact" was marked for Item 7 on the NEPA Land Use Compliance Checklist. In addition to this study and research included hereto by reference and attached, the city and Borough of Juneau wetlands maps also show no wetland concern in the subject area. As such, no wetlands delineation was required or completed.
9. **EAGLE HABITAT:** Terracon Consultants provided a NEPA Land Use Compliance Report & NEPA Checklist for Proposed Lattice Telecommunications Tower Site attached hereto and included by reference herein including a review of Section 7 of the Endangered Species Act of 1973 (16 U.S.C. §§ 1536a2) which directs Federal agencies to utilize their authorities in furtherance of the purposes of the Act by carrying out programs for the conservation of listed species or designated critical habitats. In addition, Section 7 of the Act sets out the consultation process, which is further implemented by regulation (50 CFR §402). According to the Alaska Department of Fish and Game website, 22 threatened or endangered species are known to exist in the state of Alaska. Sixteen of those species include whales, an the Northern Sea Otter, turtles, and sea lions. Furthermore, only two of the remaining species, including the short-tailed Albatross and the Eskimo Curlew were listed as occurring within Juneau Borough. In conforming to the United States Fish & Wildlife Service's "Service Interim Guidelines For Recommendations On Communications Tower Siting, Construction, Operation, and Decommissioning", this project consists of the construction of a new tower that will be lower than 200 feet, will not be lighted, and will not utilize guy wires. The fenced tower and equipment compound will be located within an approximately 50-foot by 50-foot proposed lease area on a larger undeveloped parent tract of land. Based on the relatively small footprint of the proposed lease area, potential adverse impacts to migratory birds and threatened or endangered species will be minimized or avoided. A review of the list of identified critical habitats, codified at 50 CFR Sections 17.95, 17.96 and Part 226, indicated the site is not located in a designated critical habitat. Based on a comparison of habitats indicated for the threatened and endangered species and the habitat present at the site, no species were identified with potential to be

found on the site. Having made these specific research efforts, we agree and are amenable to a condition that references the Borough policy on Eagle Habitat and verification of the proximity to the nearest nest and compliance with construction regulations with regard to Eagle Habitat specifically.

We trust this will, in fact address all concerns raised and in the case that it does not I ask that you reply to all to ensure that the appropriate subject matter expert may address the issue immediately and maintain the current schedule. As you may or may not be aware, there are federally mandated specific timelines for the processing of these applications and items are not traditionally placed on hearing agendas unless deemed complete, following which the quantity and depth of questions are usually handled in a more formal manner to ensure they reach the public record and are considered in same. We have already made accommodations for one planning commission hearing date extension and implore you and your department to make every effort to maintain the current schedule.

Sarah Grant
WesTower- PNW Project Manager
19500 SW Cipole Road
Tualatin, OR 97062
503-210-1000 Office
503-853-1065 Mobile
503-210-1001 Fax

From: Teri Camery [mailto:Teri_Camery@ci.juneau.ak.us]
Sent: Wednesday, June 27, 2012 5:51 PM
To: 'sitedeployment@gmail.com'; Sarah Grant
Subject: two habitat-related questions

Hello again,

I have two questions regarding habitat-related issues.

- 1) Do you know if the site contains wetlands, and if so, has a wetland delineation been conducted?
- 2) From our conversation at last night's meeting, it sounds as though you are familiar with the city's eagle regulations, so I am wondering if you have obtained information regarding eagle nests in the area. I have called the U.S. Fish and Wildlife Service for this information, but I have not yet heard back from them.

That's all for the moment. Thanks for your assistance.

Teri Camery

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department

6/27/2012

Teri Camery

From: John Sahnaw
Sent: Wednesday, July 18, 2012 8:16 AM
To: Teri Camery
Cc: Crystal Hitchings
Subject: RE: Spuhn Island Appraisal (with lighting and tower painting)

I have reviewed the Appraisal Report #12-045. regarding the proposed tower. I concur with Mr. Horan's analysis and conclusion.

The Assessor's office has no issues with this proposal.

John Sahnaw
 Appraiser III
 City and Borough of Juneau
 Finance/Assessors Division
 Phone: 907-586-0331

From: Teri Camery
Sent: Tuesday, July 17, 2012 4:39 PM
To: John Sahnaw
Cc: Crystal Hitchings
Subject: FW: Spuhn Island Appraisal (with lighting and tower painting)

Hi John.

Here is the report that I referred to in my phone message. Please let me know if the Assessor's Office concurs or not with the findings of this report, which evaluate the Spuhn Island tower with lighting.

I am sorry for the rush, but of course we need this right away. I am in and out of the office so please CC Crystal Hitchings on your response. If you have questions, please call Crystal at 586-0756.

Thank you, Teri and Crystal

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



Please consider the environment before printing this email.

From: Alissa Haynes [mailto:sitedeployment@gmail.com]
Sent: Wednesday, July 11, 2012 11:24 AM
To: Teri Camery
Subject: Spuhn Island Appraisal (with lighting and tower painting)

Teri Camery

From: John Sahnnow
Sent: Wednesday, October 17, 2012 3:17 PM
To: Teri Camery
Cc: Robin Potter
Subject: RE: addendum to Spuhn Island Assessment

I have reviewed the letter from Horan & Company dated October 16, 2012 regarding painting and lighting of the proposed Spuhn Island tower. I concur with Mr. Horan's analysis and conclusion.

The Assessor's office has no issues with this proposal.

John Sahnnow
Appraiser III
City and Borough of Juneau
Finance/Assessors Division

From: Teri Camery
Sent: Wednesday, October 17, 2012 11:55 AM
To: John Sahnnow
Subject: FW: addendum to Spuhn Island Assessment
Importance: High

Hi John,

We requested an updated property value assessment from Horan & Company regarding the 155-foot cell tower on Spuhn Island. We requested an update because we are recommending that the tower be painted with orange and white safety paint, and that it be lighted with a flashing white medium-intensity strobe by day and a steady red light at night. This is in response to forceful comments from the community about aviation safety needs in the area.

Please let me know if you concur with Mr. Horan's updated analysis, and specifically if you believe there will be any adverse property value impact from our painting and lighting recommendation.

Unfortunately...I need this today or early Friday morning at the latest, because the staff report is due. I'm sorry for the late notice, but we received this final report just yesterday.

Thanks very much for your time.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department



MEMORANDUM

CBJ Law Department

To: Dale Pernula, Director
Community Development Department
CBJ Planning Commission

From: Jane E. Sebens *JES*
Deputy City Attorney

Subject: Federal Telecommunications Act of 1996
"Environmental" vs. "Health" Effects of Radio Frequency Emissions

Date: December 2, 2011

The Planning Commission has requested that the Law Department provide a legal opinion on the scope of the phrase "environmental effects of radio frequency emissions" in the following Section 332 (c)(7)(B)(iv) of the Federal Telecommunications Act of 1996 ("FTA"):

(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the *environmental effects of radio frequency emissions* to the extent that such facilities comply with the Commission's regulations concerning such emissions.

(emphasis added). The specific question is whether this federal law prohibits the Planning Commission from considering and regulating personal wireless service facilities on the basis of the "*health effects*" of radio frequency emissions.

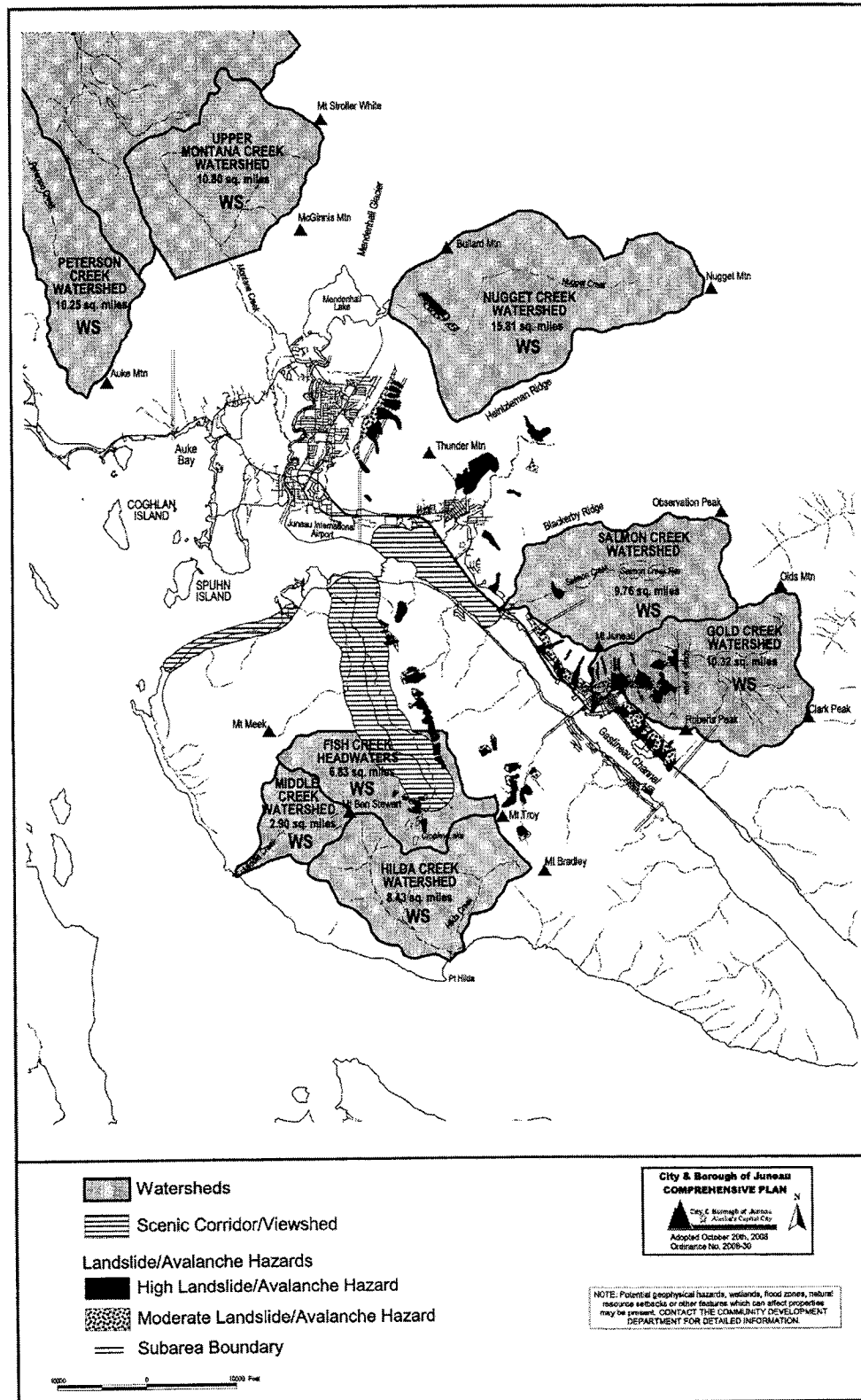
The short answer is, yes. After reviewing and updating earlier research, including a review of the FCC's related federal regulations, it is evident that the phrase "environmental effects" of radio frequency emissions is broadly interpreted and applied to include the "health effects" of such emissions. Thus, the Planning Commission is prohibited by current federal law from regulating or reviewing cell tower conditional use permit applications on the basis of the health effects of radio frequency emissions.

It should be noted that federal law does not prohibit the local regulation of cell tower placement on the basis of other environmental or health and safety concerns--the federal preemption extends to those concerns only as they relate to radio frequency emissions. Thus, under the authority of CBJ Code 49.15.330(d)((5)(A) and (f)(1), the Director and the Planning Commission, respectively, may consider

whether a proposed conditional use permit for a personal wireless service facility "will materially endanger the public health or safety" in any way that does not relate to radio frequency emissions.

Please do not hesitate to contact me if you have any questions or need more information.

For your reference and convenience, I am including a 2009 memorandum I prepared regarding local regulatory authority under the Federal Telecommunications Act of 1996. I am also attaching a more recent and informative article regarding local regulation of cell towers, published by a large California law firm. (On its website, the firm touts itself as a preeminent real estate law firm that for nearly 40 years has been publishing a "12-volume encyclopedia on California real estate law," which "is the most widely used and judicially recognized real estate legal treatise in California.")



Watershed, Scenic Corridor/Viewshed, and Hazard Map 2 of 2

AK3 - SMUGGLER'S COVE

VIEW 1

FRITZ COVE ROAD CUL-DE-SAC

KDC

ARCHITECTS. ENGINEERS, P.C.

4720 208TH STREET SW SUITE 200

LYNNWOOD, WA 98025

PHONE: 425.670.8851

FAX: 425.712.0845

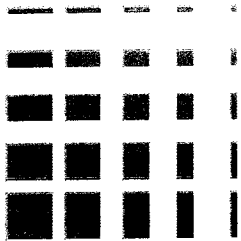


EXISTING VIEW



PROPOSED VIEW





AKS - SMUGGLER'S COVE

VIEW 2

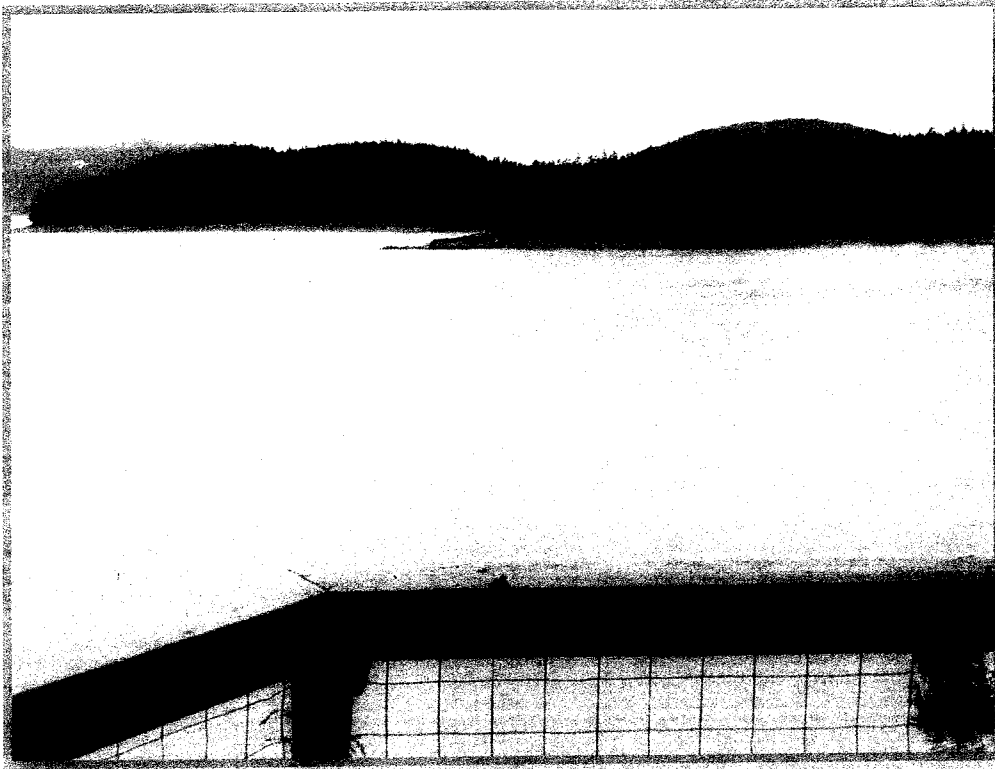
800 PINE COVE ROAD

KDC

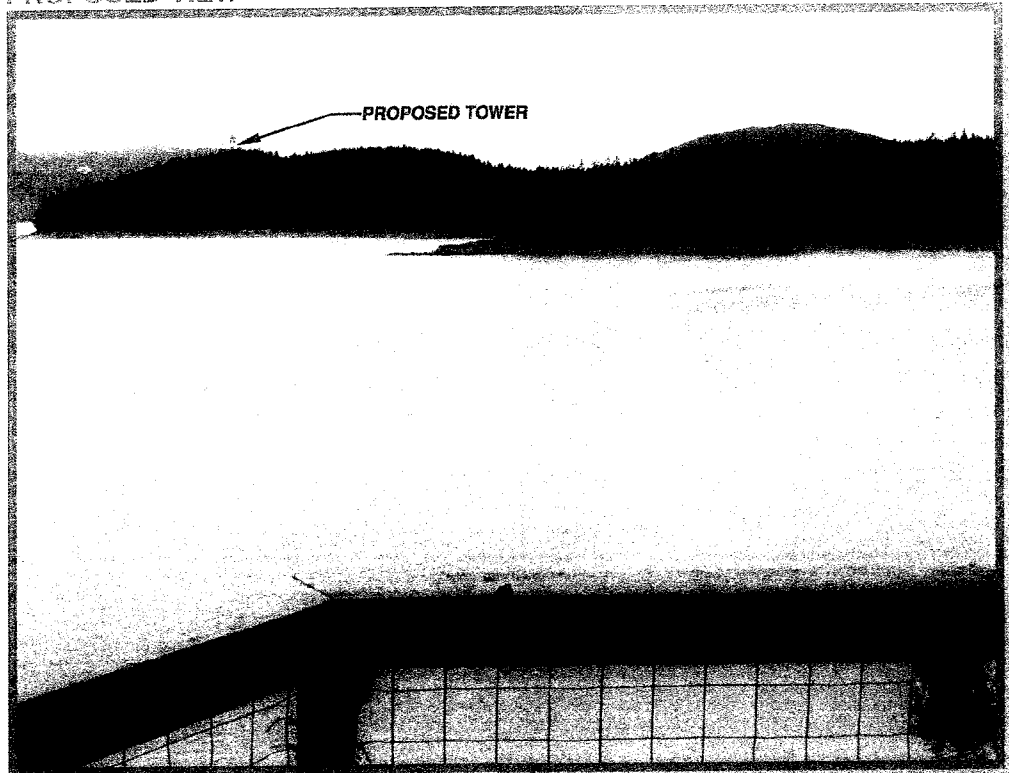
ARCHITECTS ENGINEERS, A.C.

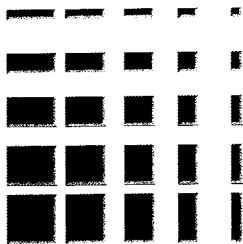


EXISTING VIEW



PROPOSED VIEW





AK3 - SMUGGLER'S COVE

VIEW 3

NORTH DOUGLAS BOAT RAMP

KDC

ARCHITECTS.ENGINEERS, P.C.

4720 200TH STREET SW SUITE 200

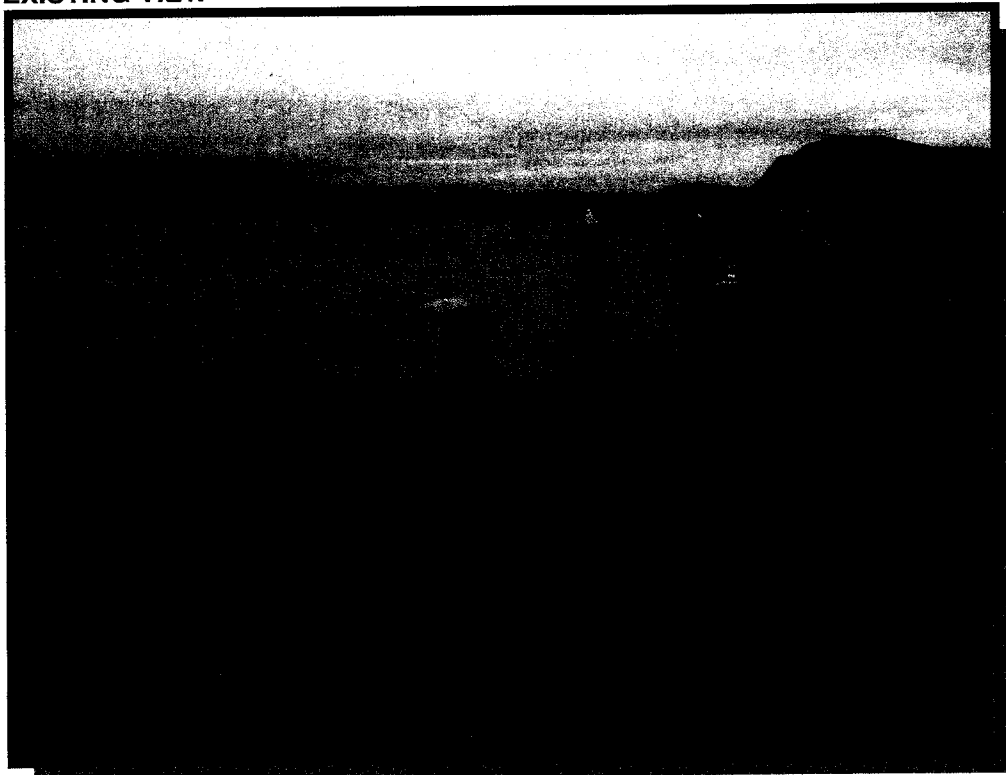
LYNNWOOD, WA 98036

PHONE: 425.670.8651

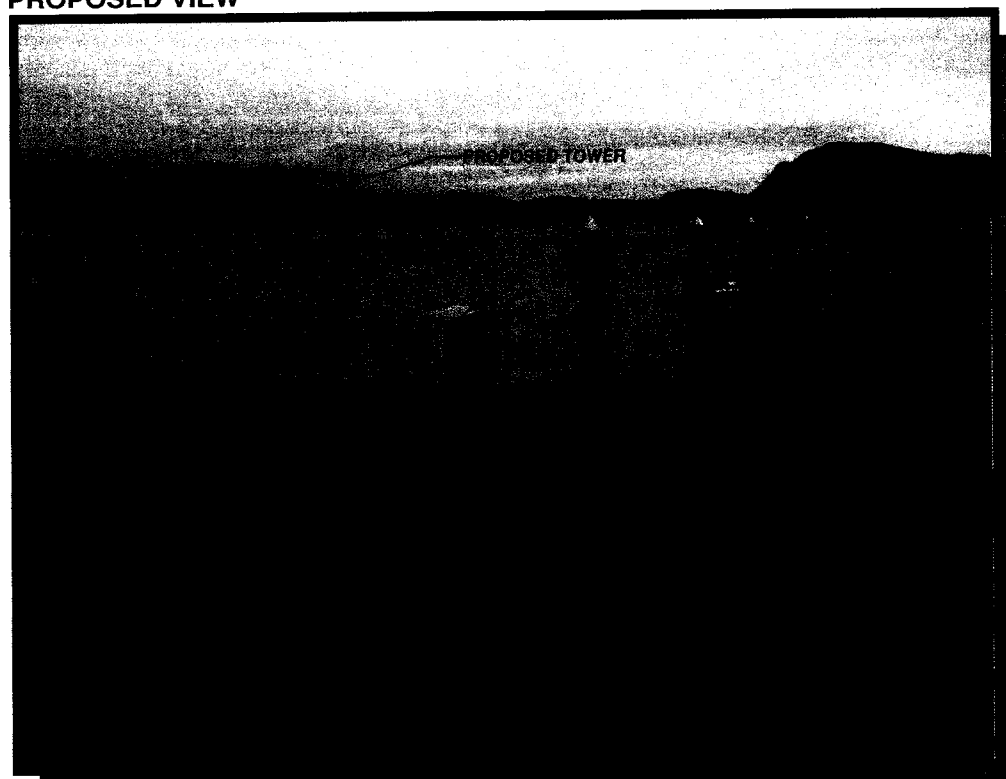
FAX: 425.712.0846



EXISTING VIEW

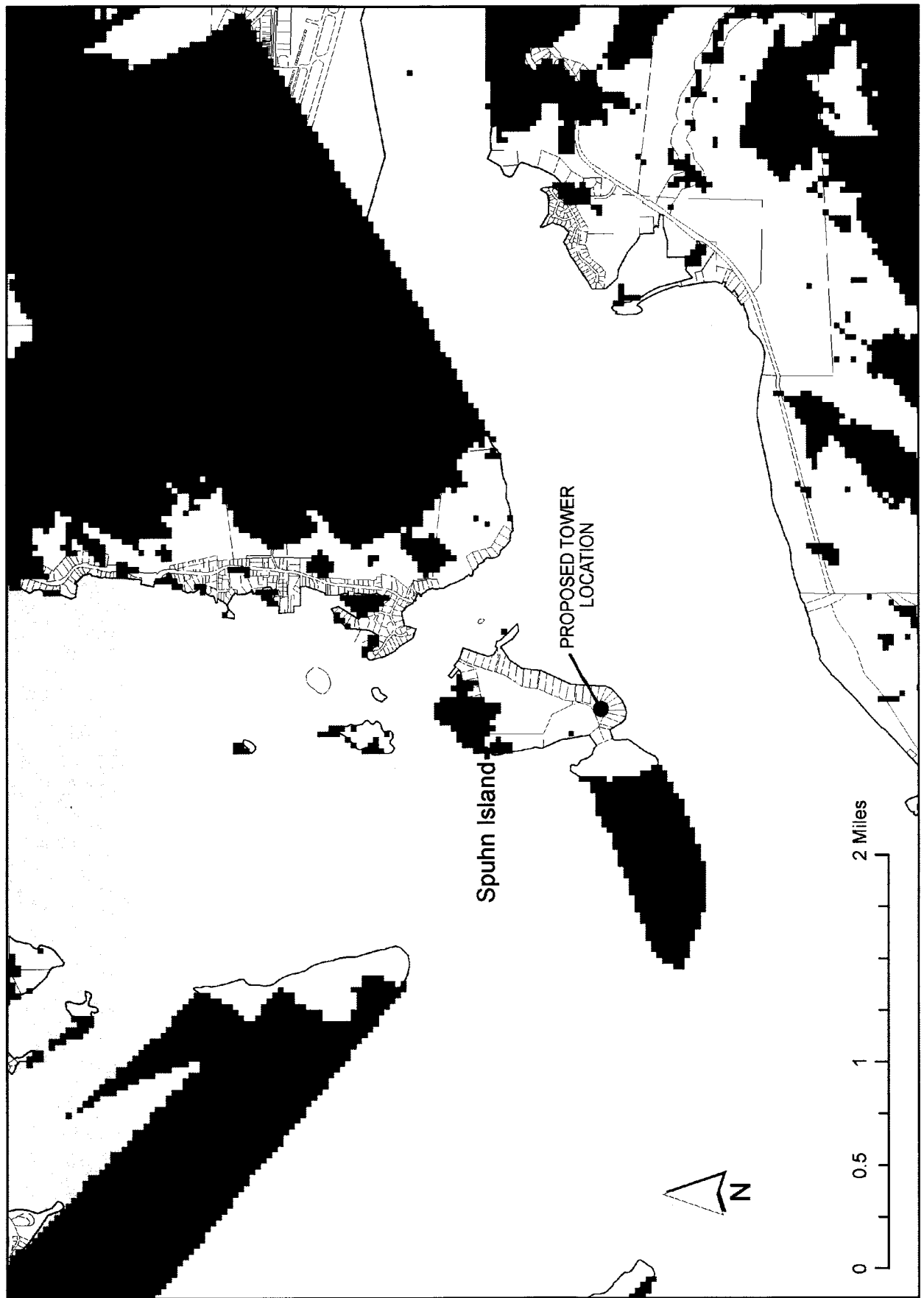


PROPOSED VIEW



TOWER VIEWSHED

(Tower not visible from areas shown in red)





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2011-AAL-406-OE

Issued Date: 02/16/2012

Nathan Foster
Atlas Tower USA, LLC
283 Columbine Street
#33
Denver, CO 80206

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Smuggler's Cove
Location:	Juneau, AK
Latitude:	58-20-06.13N NAD 83
Longitude:	134-39-33.07W
Heights:	167 feet site elevation (SE) 155 feet above ground level (AGL) 322 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

 At least 10 days prior to start of construction (7460-2, Part I)
 X Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 08/16/2013 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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MAY 07 2012

PERMIT CENTER/CDL

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (800) 478-3576 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (907) 271-5863. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-AAL-406-OE.

Signature Control No: 155446373-159154081

(DNE)

Robert van Haastert
Specialist

Attachment(s)
Frequency Data
Map(s)

cc: FCC

RECEIVED
MAY 07 2012
PERMIT CENTER

Frequency Data for ASN 2011-AAL-406-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W

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MAY 07 2012

PERMIT CENTER/CDD

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PERMIT CENTER/CDD

Teri Camery

From: Jeannie Johnson
Sent: Tuesday, July 10, 2012 10:41 AM
To: Greg Chaney; Teri Camery
Subject: FW: Spuhn Island Tower Alaskan Region FAA Flight Standards Opinion

Attachments: scandoc_2012_07_10_06_59_43_599.pdf



scandoc_2012_0
10_06_59_43_59

This is the back up to my earlier memo. My concern is safety. I totally concur with this memo.

Jeannie Johnson
Airport Manager
Juneau International Airport
(907) 789-7821
jeannie_johnson@ci.juneau.ak.us

-----Original Message-----

From: Michael.Bowers@faa.gov [mailto:Michael.Bowers@faa.gov]
Sent: Tuesday, July 10, 2012 7:44 AM
To: trowe@atlastowers.com
Cc: richard.girard@faa.gov; byron.k.huffman@faa.gov; Jeannie Johnson; sitedeployment@gmail.com; alan.rao@dot.gov; mike.powers@faa.gov; Tom.Goode@VerizonWireless.com; Heather.Campbell13@VerizonWireless.com
Subject: Spuhn Island Tower Alaskan Region FAA Flight Standards Opinion

Tierney,

To recap and elaborate on why the FAA Alaskan Region Flight Standards Division supports the marking and lighting of the proposed cell tower on Spuhn Island and why we did not weigh in earlier.

The automated FAA system used to evaluate proposed structures (OE/AAA) is very structured, following the guidance written in FAA Order 7400.2. Depending on the location, height, and proposed use of these obstructions various "lines of Business" within the FAA would evaluate the structure. Each line of business evaluates the proposed structures for their own specific concerns. Flight Standards evaluates structures specifically for the safety of VFR flight.

A proposed structure must meet certain (and different) criteria to open the case for evaluation for each line of business. A good example of that would be a proposed obstruction like a building would not "trip" an evaluation by our Frequency Management Group as the building is not broadcasting a signal. For this example Frequency Management would be "auto screen".

Because the proposed Spuhn Island tower does not penetrate any FAR part 77 surface, in the eyes of our guidance it's not near an airport, and because it is not over 500 feet AGL (both criteria that would have tripped the system to notify Flight Standards to evaluate it) Flight Standards was auto screened by the system. Flight Standards is required to also evaluate the effect of a proposed structure on a VFR flyway. Unfortunately there is no real definition of a VFR flyway thus no real way for our automated system to know if a proposed structure is close to one.

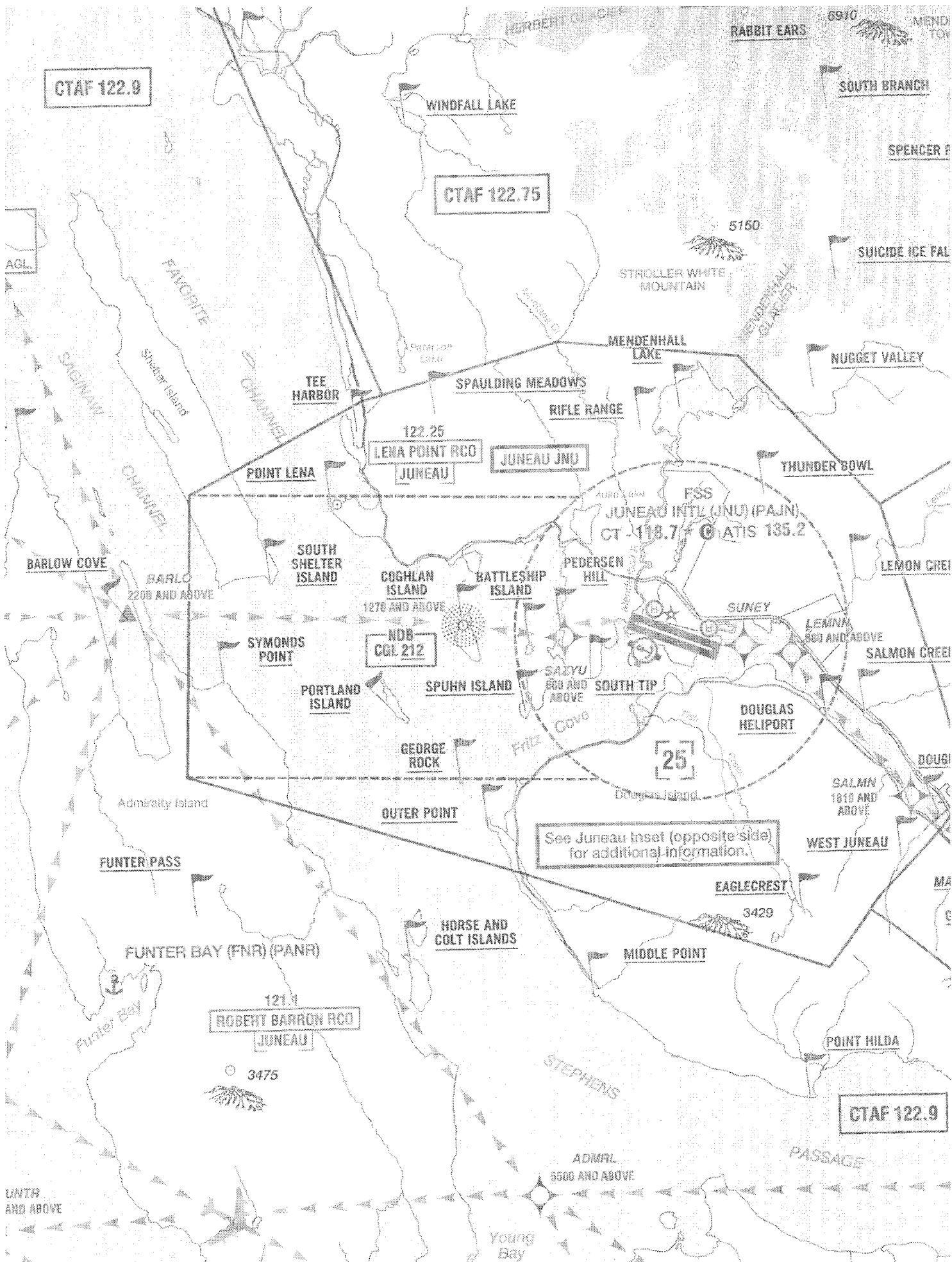
The proposed towers location is almost in the exact location of a VFR reporting point. If you examine a VFR sectional chart of the Juneau area (see attachment below), and you refer to the Juneau High Density Traffic Area Chart you will note a magenta colored flag located almost exactly in the same spot as the proposed tower. This flag is basically a magnet for VFR traffic. It is used so aircraft can report their location to the tower and the tower would know exactly where they are. You will also note a broken blue circle around the Juneau airport. This represents Juneau's surface area. When the weather is below basic VFR (3 miles visibility, 1000 foot ceiling) VFR traffic must acquire a clearance before flying into this circle. The proposed location for the tower is just outside of the surface area. During times of low weather, aircraft will circle in this area waiting for their clearance into the surface area. Due to the lower weather these aircraft will be flying at a lower altitude.

We have seen various FAA emails about this obstruction making comments referring to a populated island requiring a minimum altitude of 500. These statements are incorrect. Federal Aviation Regulations (FAR) (in which Flight Standards is responsible for their enforcement) have no such requirements. To our knowledge there are only a couple (literally two) houses on the island, both on the north end. FAR 91.119 Minimum Safe Altitudes requires a minimum altitude of 1000 feet over congested areas (by no means is this island a congested area), 500 feet over other than a congested area, EXCEPT OVER WATER OR SPARSELY POPULATED AREAS. In those cases, the aircraft may not operate closer than 500 feet to any person, vessel, vehicle, or structure. This regulation would allow any aircraft operating under FAR Part 91 to currently fly, legally, at tree top level over Spuhn Island (sparsely populated) as long as they avoid any structures by 500 feet, either above or laterally.

Alaskan Region Flight Standards opinion is the geographic location of the tower, the amount and type of air traffic in the area, and the meteorological conditions that prevail in this area could eventually combine to cause an aircraft accident. Had Flight Standards not been auto screened from evaluating this proposed tower Flight Standards would have responded in OE/AAA with; No Objection with the provision/ Flight Standards highly recommends this tower be marked and lighted. Due to the large volume of VFR aircraft and the lower visibility and ceilings that prevail in the area Flight Standards recommends white flashing strobes.

If you have any further questions please do not hesitate to call.

Michael J. Bowers
All Weather Operations Program Manager
AAL-220MB
907-271-4046



From: Crystal Hitchings
Sent: Thursday, July 19, 2012 8:57 AM
To: richard.girard@faa.gov
Cc: Greg Chaney; Teri Camery
Subject: RE: FW: Spuhn Island Tower Alaskan Region FAA Flight Standards Opinion

Thank you for your response, Rick. Because safety concerns have been voiced, but we apparently cannot go back on the Determination, is it possible for you to clarify as to whether or not a red steady beacon, with or without paint, would be considered by your department to be an acceptable alternative to the white flashing strobe originally suggested?

Thank you,
Crystal Hitchings, Planner
Community Development Department
City and Borough of Juneau
155 South Seward
Juneau, AK
907-586-0756

From: richard.girard@faa.gov [mailto:richard.girard@faa.gov]
Sent: Thursday, July 19, 2012 6:15 AM
To: Crystal Hitchings
Cc: tom.noble@faa.gov; Michael.Bowers@faa.gov; jay.d.skaggs@faa.gov;
JoAnn.K.Nunemaker@faa.gov; Charlotte.A.Hanson@faa.gov
Subject: Re: FW: Spuhn Island Tower Alaskan Region FAA Flight Standards Opinion

Crystal

I have been out of the office most of this week. Flight Standards has responsibility to evaluate OE cases, primarily that might have an adverse affect on VFR traffic. This isn't to say we would not also try to protect IFR minimums that would also be adversely affected. The OE/NRA process is automated. It is controlled by our Air Traffic Organization (ATO). In this case Flight Standards was "auto-screened out" by ATO. This prevented us from even knowing about this case. We were informed about it by our Airports Division, which was not auto-screened out. They felt we would be interested in the case.

However, by the time we became aware of the case a "No Hazard" determination was issued by the ATO. Once a determination is issued, especially an No Hazard, it is very unlikely it would be changed. The No Hazard determination was strictly based on FAR Part 77 airport surfaces and No IFR affect determinations. The VFR fly way issue was not reviewed as I indicated earlier.

We wanted to be on record, that if we had not been Auto Screened Out by ATO, we would have asked for lighting of the structure as a condition for approval by us. Otherwise we would have objected to it, due to it's proximity to a know VFR fly way. As Michael Bowers stated aircraft can and do fly at very low altitudes in the vicinity of this structure. In poor visibility conditions a steady or pulsating red light will not give pilots adequate warning of the towers proximity. We suggested a white strobe. Flight Standards can not change the FAA determination of No Hazard for this tower. Regardless of the lighting situation. We just want to be on record as to our opinion.

Rick Girard

Richard Girard
AAL220RG
907 271 3578
907 271 1665 Fax
richard.girard@faa.gov



U.S. Department
of Transportation
**Federal Aviation
Administration**

Flight Standards Division
Alaskan Region

222 West 7th Avenue, #14
Anchorage, AK 99513-7587
Telephone (907) 271-5514
Fax (907) 271-1665

Certificate Return Receipt

Ryan Wells
Regulatory Specialist – Real Estate
Pacific Northwest Region
15900 SE Eastgate Way, MS-231
Bellevue, WA 98008-5758

October 12, 2012

Dear Mr. Wells,

Spuhn Island Tower Mitigation (FAA Case 2011-AAL-406-OE)

One function of our All Weather Operations Next Gen Branch (AWO) is to evaluate proposed and existing obstructions (towers, cranes, antennas, etc.) for their effect on VFR (Visual Flight Rules) flight. That office has been continuously engaged in a proposed tower construction project at Spuhn Island. As you are aware, a multitude of interested parties, including the community, Verizon and the FAA have worked cooperatively to ensure the highest level of safety for the flying public and a successful completion of a needed communications tower. Our AWO Branch, and our Flight Standards Division, concur with the No Hazard Determination issued February 16, 2012, by Robert van Haastert, FAA Obstruction Evaluation Group (AJV-15).

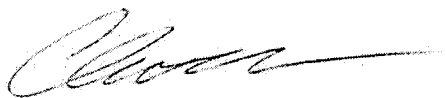
Nevertheless, certain issues remain unresolved that could impact the safety of flight operations. The No Hazard Determination was properly based on the standards set out in FAA Order 7400.2. That order is intended to address a wide continuum of flight operations conducted across the entire National Airspace System. It does not preclude nor dictate against additional safety measures called out by unusual circumstances nor could it be expected that its drafters could consider every unique possibility.

Spuhn Island provides an illustrative example of this. This island is located in close proximity to an extremely active VFR corridor and is used as a traffic management reporting point depicted in Juneau area aeronautical charts. Thus, the tower not only will be in the midst of a high density traffic area, it will sit atop of a VFR reporting point that creates an even more acute funneling of general aviation aircraft to that location. Additionally, single-engine float planes predominate the general aviation fleet in the southeast Alaska area. Aircraft type and commonly encountered weather conditions in a maritime environment result in VFR operations at lower altitudes than commonly encountered in other areas of the United States. These operations may be conducted safely and legally but man-made obstructions potentially inject additional risks that should be prudently managed.

After consideration of all available information, we believe good judgment and reasonable care by the tower sponsor dictates that the additional risks be reasonably managed by

incorporating tower lighting and markings. When viewed in the context of human life, the investment is minimal. In that this is a cooperative effort, our office stands willing to assist in any design efforts to make the visual warnings to pilots as effective as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Clint F. Wease', with a long, sweeping horizontal line extending to the right.

Clint F. Wease
Division Manager

Teri Camery

From: Jeannie Johnson
Sent: Wednesday, June 20, 2012 10:06 AM
To: Teri Camery
Cc: Greg Chaney; Kim Kiefer; Jerry Godkin
Subject: FW: Spuhn Island Cell Tower
Importance: High
Attachments: AC70_7460_1K_Ob_Lighting (2).pdf; Camery Memo re Spuhn Island 6.20.12.pdf

Teri,
 Maverick Douglas is the FAA Certification Inspector for Juneau International Airport.
 Please include this email of support for the Planning Commission.
 Thanks,
 ~Jeannie

Jeannie Johnson
 Airport Manager
 Juneau International Airport
 (907) 789-7821
 jeannie_johnson@ci.juneau.ak.us

From: Maverick.Douglas@faa.gov [mailto:Maverick.Douglas@faa.gov]
Sent: Wednesday, June 20, 2012 9:53 AM
To: Jeannie Johnson; Clint.Wease@faa.gov; kyle.r.christiansen@faa.gov
Cc: Teri Camery; Greg Chaney; Mike.Edelmann@faa.gov; kyle.r.christiansen@faa.gov;
 jim.lomen@faa.gov; byron.k.huffman@faa.gov
Subject: Re: Spuhn Island Cell Tower
Importance: High

Jeannie,
 I concur with JNU proposal for painting and lighting the tower to comply with requirements in AC70/7460. This will ensure all aircraft operations into JNU receive the highest level of protection during inclement weather conditions. I have cc Flight Standards and Flight Procedures on this email for their information purposes. Thanks for keeping FAA Airports Division in the loop on this issue; and have a nice day. Maverick

-----Jeannie Johnson wrote: -----

To: Teri Camery <Teri_Camery@ci.juneau.ak.us>
 From: Jeannie Johnson <Jeannie_Johnson@ci.juneau.ak.us>
 Date: 06/20/2012 09:18AM
 cc: Greg Chaney <Greg_Chaney@ci.juneau.ak.us>, Maverick Douglas/AAL/FAA, Mike Edelmann/AAL/FAA
 Subject: Spuhn Island Cell Tower

Teri,

Attached is a memo with my comments and also the AC that describes painting and lighting.

Please let me know the date this is scheduled to go to the Planning Commission.

~Jeannie

Jeannie Johnson
Airport Manager
Juneau International Airport
(907) 789-7821
jeannie_johnson@ci.juneau.ak.us



U.S. Department
of Transportation
**Federal Aviation
Administration**

**FAA Safety Team
Juneau Flight Standards District Office**

FAA Juneau FAAST AAL-204g
3032 Vintage Park Blvd.
Suite 106
Juneau AK 99801
(907) 790-7382

Robert van Haastert, Specialist
Federal Aviation Administration
Obstruction Evaluation Group
2601 Meacham Blvd.
Fort Worth, TX 76137
Robert.van.haastert@faa.gov

August 9, 2012

Dear Mr. van Haastert,

I am the Alaska Region FAA Safety Team Program Manager for Southeast Alaska and a resident of Juneau, Alaska. I am also a retired Alaska Airlines Captain, a Certified Flight Instructor, an aircraft owner, and have been flying in and throughout the State of Alaska for 46 years.

I am writing in regards to the proposed tower on Spuhn Island, located in close proximity to Juneau International airport (PAJN), Juneau, Alaska.

Although the tower will not affect normal CFR Part 121 and 135, Instrument Flight Rule (IFR) traffic, it could easily constitute an obstruction and risk for CFR Part 135 Visual Flight Rule (VFR) and CFR Part 91 General Aviation traffic, which operate predominately under VFR, or Special VFR flight rules in PAJN Class D airspace.

The tower location is well within Juneau Tower's (JNUATCT) Class D airspace and further elevated by its location on the highest point on Spuhn Island. Arrival and departure VFR traffic flows to the West of PAJN pass directly over Spuhn Island, at times maneuvering in close proximity to terrain due to local cloud cover in the area of the Mendenhall Peninsula. It is my strong professional opinion that the tower must be painted, so as to contrast with the evergreen tree cover, and lighted, in order to maintain an acceptable level of safety, especially during marginal weather conditions.

Sincerely,

Douglas Wahto
FAA Safety Team Program Manager
907-790-7382 Wk
907-586-8833 Fax
907-321-8057 Cel
<http://www.faa.gov/go/flyalaska>

Cc: Teri Camery, CBJ Community Development

Teri Camery

From: brad.sapp@faa.gov
Sent: Monday, August 06, 2012 3:55 PM
To: Teri Camery
Cc: terry.gordon@faa.gov; charles.wisner@faa.gov
Subject: Fw: Spuhn Island Tower Alaskan Region FAA Flight Standards Opinion

Attachments: scandoc_2012_07_10_06_59_43_599.pdf



scandoc_2012_0
10_06_59_43_59

Teri,

The FAA Juneau Flight Standards District Office agrees with the FAA Alaska Region Flight Standards Office as stated in the below email message that the proposed cell tower on Spuhn Island should be lighted.

Quote: Alaskan Region Flight Standards opinion is the geographic location of the tower, the amount and type of air traffic in the area, and the meteorological conditions that prevail in this area could eventually combine to cause an aircraft accident. Had Flight Standards not been auto screened from evaluating this proposed tower Flight Standards would have responded in OE/AAA with; No Objection with the provision/ Flight Standards highly recommends this tower be marked and lighted. Due to the large volume of VFR aircraft and the lower visibility and ceilings that prevail in the area Flight Standards recommends white flashing strobes.

Thank You,

Brad Sapp
Operations Supervisor
Juneau Flight Standards District Office
907-790-7310

----- Forwarded by Brad Sapp/AAL/FAA on 08/06/2012 03:44 PM -----

|----->
| From: |
|----->

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| Patricia deLaBruere <Patricia_deLaBruere@ci.juneau.ak.us>
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>-----
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|----->

Teri Camery

From: Paul Wescott [wescott.paul@gmail.com]
Sent: Saturday, August 11, 2012 9:24 AM
To: Robert.van.haastert@faa.gov
Cc: Teri Camery
Subject: Aeronautical Study No. 2011-AAL-406-OE
Attachments: PJW Cel Let.doc

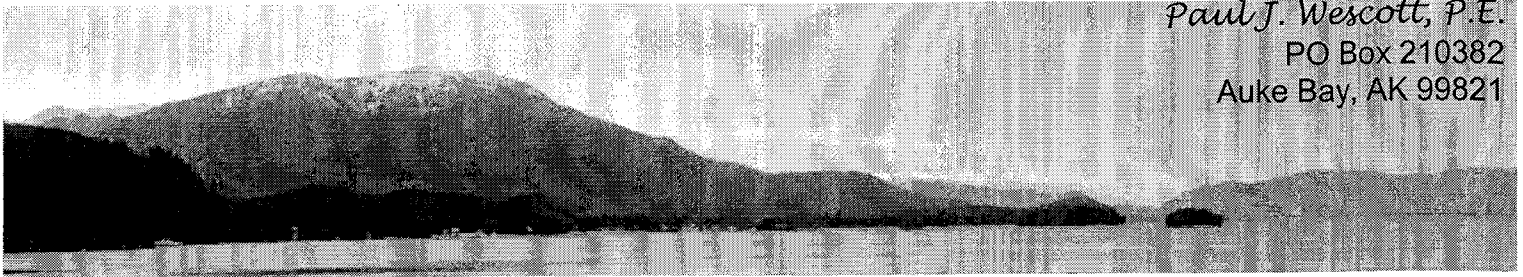
Dear Mr. van Haastert,

Please see attached letter concerning a potential safety issue with a new cel tower near PAJN.

Thanks!

Paul Wescott, P.E.
PO box 210382
Auke Bay, AK 99821

(907) 789-1418



August 11, 2012

Robert van Haastert, Specialist
Federal Aviation Administration
Obstruction Evaluation Group
2601 Meacham Blvd.
Fort Worth, TX 76137

Re: Aeronautical Study No. 2011-AAL-406-OE

Dear Mr. van Haastert,

I recently learned that a cel tower is proposed for Spuhn Island, Juneau, AK, within PAJN Class D airspace. The island is visible in the header photo above just right of the structures on the far shore in the center. I gather from other folks familiar with the project that it may or may not be painted and lighted.

I was recently Airport Engineer for PAJN so am familiar with its operations. It is a busy airport in dramatic terrain. I also fly with Civil Air Patrol out of PAJN. A lot of arriving VFR traffic operates in the vicinity of Spuhn Island over nearby checkpoints. In low ceilings and in less-than-optimal visibility, small aircraft operate quite close to the terrain. For that reason, I recommend that the tower be painted to contrast with the local vegetation and lighted.

Please forward a copy of this letter to anyone charged with making decisions in this matter.

Thank you very much.

Sincerely,

Paul J. Wescott, P.E.
907-789-1418

Sent via email: Robert.van.haastert@faa.gov

Cc: Teri Camery, CBJ Community Development Teri_Camery@ci.juneau.ak.us



Juneau International Airport

1873 Shell Simmons Drive, Suite 200 • Juneau, Alaska 99801 • (907) 789-7821 • FAX: (907) 789-1227

October 11, 2012

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department

RE: USE2012 0006 Spuhn Island Cell Tower

Dear Ms. Camery;

In the interest of safety I request that, if approved by the Planning Commission, a requirement to have the tower painted and lit per *FAA AC70/7460 1K Obstruction Lighting* be incorporated.

Juneau International Airport does not control airspace. That is the job of FAA.

As a private pilot and the Manager of Juneau International Airport I am very familiar with the amount and nature of aircraft traffic in the location of the proposed tower. Juneau frequently has very low weather conditions. This location constantly sees use by 135 carriers such as Alaska Seaplanes, Wings of Alaska, Air Excursions, Ward Air, other small aircraft operators and General Aviation aircraft.

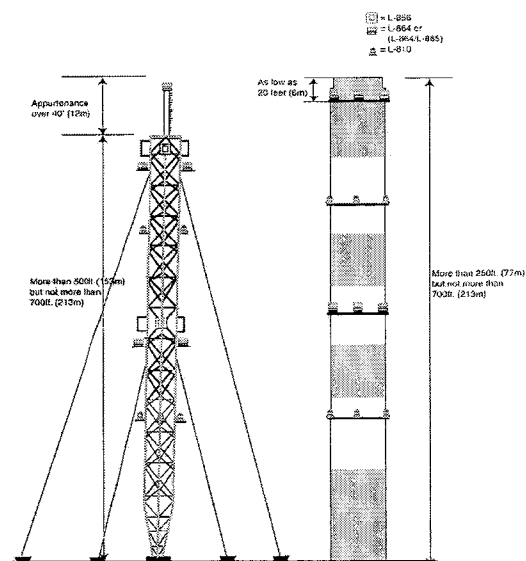
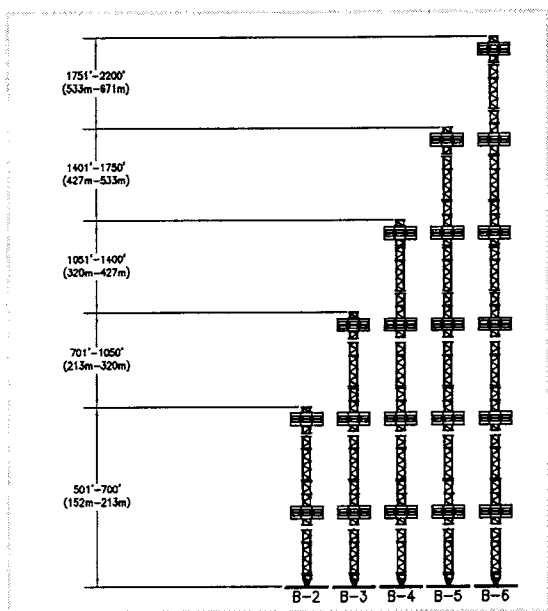
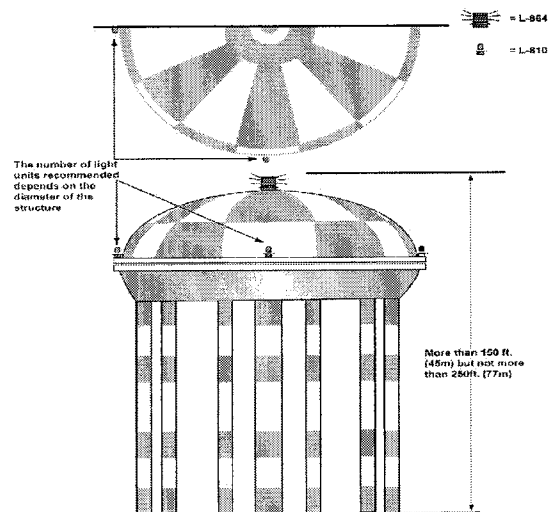
It seems the request for painting and lighting of a tower sticking up 322 feet above the water in close proximity to the approach and departure end of JNU Runway 08 would be a contribution to the safety of the airspace that the owners of the tower would want to incorporate into their plans.

Sincerely;

Jeannie Johnson
Airport Manager



Obstruction Marking and Lighting



CHAPTER 8. DUAL LIGHTING WITH RED/MEDIUM INTENSITY FLASHING WHITE SYSTEMS**80. PURPOSE**

This dual lighting system includes red lights (L-864) for nighttime and medium intensity flashing white lights (L-865) for daytime and twilight use. This lighting system may be used in lieu of operating a medium intensity flashing white lighting system at night. There may be some populated areas where the use of medium intensity at night may cause significant environmental concerns. The use of the dual lighting system should reduce/mitigate those concerns. Recommendations on lighting structures can vary depending on terrain features, weather patterns, geographic location, and in the case of wind turbines, number of structures and overall layout of design.

81. INSTALLATION

The light units should be installed as specified in the appropriate portions of Chapters 4, 5, and 6. The number of light levels needed may be obtained from Appendix 1.

82. OPERATION

Lighting systems should be operated as specified in Chapter 3. Both systems should not be operated at the same time; however, there should be no more than a 2-second delay when changing from one system to the other. Outage of one of two lamps in the uppermost red beacon (L-864 incandescent unit) or outage of any uppermost red light shall cause the white obstruction light system to operate in its specified "night" step intensity.

83. CONTROL DEVICE

The light system is controlled by a device that changes the system when the ambient light changes. The system should automatically change steps when the northern sky illumination in the Northern Hemisphere on a vertical surface is as follows:

a. *Twilight-to-Night.* This should not occur before the illumination drops below 5 foot-candles (53.8 lux) but should occur before it drops below 2 foot-candles (21.5 lux).

b. *Night-to-Day.* The intensity changes listed in subparagraph 83 a above should be reversed when changing from the night to day mode.

84. ANTENNA OR SIMILAR APPURTENANCE LIGHT

When a structure utilizing this dual lighting system is topped with an antenna or similar appurtenance exceeding 40 feet (12m) in height, a medium intensity flashing white (L-865) and a red flashing beacon (L-864) should be placed within 40 feet (12m) from the tip of the appurtenance. The white light should operate during daytime and twilight and the red light during nighttime. These lights should flash simultaneously with the rest of the lighting system.

85. OMISSION OF MARKING

When medium intensity white lights are operated on structures 500 feet (153m) AGL or less during daytime and twilight, other methods of marking may be omitted.

CHAPTER 3. MARKING GUIDELINES

30. PURPOSE

This chapter provides recommended guidelines to make certain structures conspicuous to pilots during daylight hours. One way of achieving this conspicuity is by painting and/or marking these structures. Recommendations on marking structures can vary depending on terrain features, weather patterns, geographic location, and in the case of wind turbines, number of structures and overall layout of design.

31. PAINT COLORS

Alternate sections of aviation orange and white paint should be used as they provide maximum visibility of an obstruction by contrast in colors.

32. PAINT STANDARDS

The following standards should be followed. To be effective, the paint used should meet specific color requirements when freshly applied to a structure. Since all outdoor paints deteriorate with time and it is not practical to give a maintenance schedule for all climates, surfaces should be repainted when the color changes noticeably or its effectiveness is reduced by scaling, oxidation, chipping, or layers of contamination.

a. *Materials and Application.* Quality paint and materials should be selected to provide extra years of service. The paint should be compatible with the surfaces to be painted, including any previous coatings, and suitable for the environmental conditions. Surface preparation and paint application should be in accordance with manufacturer's recommendations.

Note-

In-Service Aviation Orange Color Tolerance Charts are available from private suppliers for determining when repainting is required. The color should be sampled on the upper half of the structure, since weathering is greater there.

b. *Surfaces Not Requiring Paint.* Ladders, decks, and walkways of steel towers and similar structures need not be painted if a smooth surface presents a potential hazard to maintenance personnel. Paint may also be omitted from precision or critical surfaces if it would have an adverse effect on the transmission or radiation characteristics of a signal. However, the overall marking effect of the structure should not be reduced.

c. *Skeletal Structures.* Complete all marking/painting prior to or immediately upon

completion of construction. This applies to catenary support structures, radio and television towers, and similar skeletal structures. To be effective, paint should be applied to all inner and outer surfaces of the framework.

33. PAINT PATTERNS

Paint patterns of various types are used to mark structures. The pattern to be used is determined by the size and shape of the structure. The following patterns are recommended.

a. *Solid Pattern.* Obstacles should be colored aviation orange if the structure has both horizontal and vertical dimensions not exceeding 10.5 feet (3.2m).

b. *Checkerboard Pattern.* Alternating rectangles of aviation orange and white are normally displayed on the following structures:

1. Water, gas, and grain storage tanks.
2. Buildings, as required.

3. Large structures exceeding 10.5 feet (3.2m) across having a horizontal dimension that is equal to or greater than the vertical dimension.

c. *Size of Patterns.* Sides of the checkerboard pattern should measure not less than 5 feet (1.5m) or more than 20 feet (6m) and should be as nearly square as possible. However, if it is impractical because of the size or shape of a structure, the patterns may have sides less than 5 feet (1.5m). When possible, corner surfaces should be colored orange.

d. *Alternate Bands.* Alternate bands of aviation orange and white are normally displayed on the following structures:

1. Communication towers and catenary support structures.
2. Poles.
3. Smokestacks.
4. Skeletal framework of storage tanks and similar structures.
5. Structures which appear narrow from a side view, that are 10.5 feet (3.2m) or more across and the horizontal dimension is less than the vertical dimension.
6. Coaxial cable, conduits, and other cables attached to the face of a tower.

e. **Color Band Characteristics.** Bands for structures of any height should be:

1. Equal in width, provided each band is not less than $1\frac{1}{2}$ feet (0.5m) or more than 100 feet (31m) wide.
2. Perpendicular to the vertical axis with the bands at the top and bottom ends colored orange.
3. An odd number of bands on the structure.
4. Approximately one-seventh the height if the structure is 700 feet (214m) AGL or less. For each additional 200 feet (61m) or fraction thereof, add one (1) additional orange and one (1) additional white band.
5. Equal and in proportion to the structure's height AGL.

Structure Height to Bandwidth Ratio

Example: If a Structure is:		
Greater Than	But Not More Than	Band Width
10.5 feet (3.2m)	700 feet (214m)	$\frac{1}{7}$ of height
701 feet (214m)	900 feet (275m)	$\frac{1}{9}$ of height
901 feet (275m)	1,100 feet (336m)	$\frac{1}{11}$ of height
1,100 feet (336m)	1,300 feet (397m)	$\frac{1}{13}$ of height

TBL 1

f. **Structures With a Cover or Roof.** If the structure has a cover or roof, the highest orange band should be continued to cover the entire top of the structure.

g. **Skeletal Structures Atop Buildings.** If a flagpole, skeletal structure, or similar object is erected on top of a building, the combined height of the object and building will determine whether marking is recommended; however, only the height of the object under study determines the width of the color bands.

h. **Partial Marking.** If marking is recommended for only a portion of a structure because of shielding by other objects or terrain, the width of the bands should be determined by the overall height of the structure. A minimum of three bands should be displayed on the upper portion of the structure.

i. **Teardrop Pattern.** Spherical water storage tanks with a single circular standpipe support may be marked in a teardrop-striped pattern. The tank should show alternate stripes of aviation orange and white. The stripes should extend from the top center of the tank to its supporting standpipe. The width of the stripes should be equal, and the width of each stripe at the greatest girth of the tank should not be less than 5 feet (1.5m) nor more than 15 feet (4.6m).

j. **Community Names.** If it is desirable to paint the name of the community on the side of a tank, the stripe pattern may be broken to serve this purpose. This open area should have a maximum height of 3 feet (0.9m).

k. **Exceptions.** Structural designs not conducive to standard markings may be marked as follows:

1. If it is not practical to color the roof of a structure in a checkerboard pattern, it may be colored solid orange.

2. If a spherical structure is not suitable for an exact checkerboard pattern, the shape of the rectangles may be modified to fit the shape of the surface.

3. Storage tanks not suitable for a checkerboard pattern may be colored by alternating bands of aviation orange and white or a limited checkerboard pattern applied to the upper one-third of the structure.

4. The skeletal framework of certain water, gas, and grain storage tanks may be excluded from the checkerboard pattern.

34. MARKERS

Markers are used to highlight structures when it is impractical to make them conspicuous by painting. Markers may also be used in addition to aviation orange and white paint when additional conspicuity is necessary for aviation safety. They should be displayed in conspicuous positions on or adjacent to the structures so as to retain the general definition of the structure. They should be recognizable in clear air from a distance of at least 4,000 feet (1219m) and in all directions from which aircraft are likely to approach. Markers should be distinctively shaped, i.e., spherical or cylindrical, so they are not mistaken for items that are used to convey other information. They should be replaced when faded or otherwise deteriorated.

CHAPTER 12. MARKING AND LIGHTING EQUIPMENT AND INFORMATION

120. PURPOSE

This chapter lists documents relating to obstruction marking and lighting systems and where they may be obtained.

121. PAINT STANDARD

Paint and aviation colors/gloss, referred to in this publication should conform to Federal Standard FED-STD-595. Approved colors shall be formulated without the use of Lead, Zinc Chromate or other heavy metals to match International Orange, White and Yellow. All coatings shall be manufactured and labeled to meet Federal Environmental Protection Act Volatile Organic Compound(s) guidelines, including the National Volatile Organic Compound Emission Standards for architectural coatings.

a. Exterior Acrylic Waterborne Paint. Coating should be a ready mixed, 100% acrylic, exterior latex formulated for application directly to galvanized surfaces. Ferrous iron and steel or non-galvanized surfaces shall be primed with a manufacturer recommended primer compatible with the finish coat.

b. Exterior Solventborne Alkyd Based Paint. Coating should be ready mixed, alkyd-based, exterior enamel for application directly to non-galvanized surfaces such as ferrous iron and steel. Galvanized surfaces shall be primed with a manufacturer primer compatible with the finish coat.

Paint Standards Color Table

COLOR	NUMBER
Orange	12197
White	17875
Yellow	13538

TBL 3

Note-

1. Federal specification T1-P-59, aviation surface paint, ready mixed international orange.
2. Federal specification T1-102, aviation surface paint, oil titanium zinc.
3. Federal specification T1-102, aviation surface paint, oil, exterior, ready mixed, white and light tints.

122. AVAILABILITY OF SPECIFICATIONS

Federal specifications describing the technical characteristics of various paints and their application techniques may be obtained from:

GSA- Specification Branch
470 L'Enfant Plaza
Suite 8214
Washington, DC 20407
Telephone: (202) 619-8925

123. LIGHTS AND ASSOCIATED EQUIPMENT

The lighting equipment referred to in this publication should conform to the latest edition of one of the following specifications, as applicable:

a. Obstruction Lighting Equipment.

1. AC 150/5345-43, FAA Specification for Obstruction Lighting Equipment.
2. Military Specifications MIL-L-6273, Light, Navigational, Beacon, Obstacle or Code, Type G-1.
3. Military Specifications MIL-L-7830, Light Assembly, Markers, Aircraft Obstruction.

b. Certified Equipment.

1. AC 150/5345-53, Airport Lighting Certification Program, lists the manufacturers that have demonstrated compliance with the specification requirements of AC 150/5345-43.
2. Other manufacturers' equipment may be used provided that equipment meets the specification requirements of AC 150/5345-43.

c. Airport Lighting Installation and Maintenance.

1. AC 150/5340-21, Airport Miscellaneous Lighting Visual Aids, provides guidance for the installation, maintenance, testing, and inspection of obstruction lighting for airport visual aids such as airport beacons, wind cones, etc.
2. AC 150/5340-26, Maintenance of Airport Visual Aid Facilities, provides guidance on the maintenance of airport visual aid facilities.

d. Vehicles.

1. AC 150/5210-5, Painting, Marking, and Lighting of Vehicles Used on an Airport, contains provisions for marking vehicles principally used on airports.
2. FAA Facilities. Obstruction marking for FAA facilities shall conform to FAA Drawing Number D-5480, referenced in FAA Standard FAA-STD-003, Paint Systems for Structures.

Teri Camery

From: Nicole Jones
Sent: Friday, June 15, 2012 4:32 PM
To: Teri Camery
Subject: Spuhn Island Cell Tower comment received

Hi Teri—you are doing the Spuhn Island cell tower right?? I received a call from Keith Kelton. Mr. Kelton lives near Fritz Cove Road and would like the same condition that was placed on the Spuhn Island subdivision, that no construction for Spuhn Island be mobilized from Fritz Cove Road. Mr. Kelton is not opposing the USE/cell tower case. If you have further questions or need further information he welcomes phone calls. He can be reached at 789.1377.

Thanks!!

Nicole Jones, Planner I, CFM
CBJ Community Development Department
155 S. Seward St.
Juneau, AK 99801
Ph: 907.586.0218
Fax: 907.586.3365

Teri Camery

From: Thomas Scalf [thomas.scalf@gmail.com]
Sent: Tuesday, June 19, 2012 1:41 PM
To: Teri Camery
Cc: KAA@gci.net
Subject: Spuhn Island Cell Tower

Attachments: Spuhn Cell Tower.pdf



Spuhn Cell
Tower.pdf (7 MB)

Teri,

My wife and I own Lot 9 on Spuhn Island. Attached is a .pdf file that I would like presented to the planning commission because I won't be able to attend the meeting on June 26. I will also mail it.

Thanks!
Thomas Scalf

Thomas and Diana Scalf
845 Bosque Vista Dr
Bernalillo, NM 87004

Planning Commission
City of Juneau
155 S. Seward St
Juneau, AK 99801

June 19, 2012

Subject: Planned Cell Tower on Spuhn Island

Greetings,

Unfortunately my wife, Diana, and I will be unable to attend the public hearing to discuss a cell tower that is proposed on Spuhn Island. I would like the opportunity to express some concerns that I have.

My wife and I own Lot 9 on Spuhn Island which is directly adjacent to Parcel B where the proposed cell tower is to be placed. I feel that the proximity of the cell tower to our lot will harm the pristine aesthetics that is one of the reasons we bought the lot in the first place.

The value of our lot could be adversely affected by the placement of a cell tower so close to our property. I enclose an article where one appraiser said that the presence of a cell tower decreased the value of adjacent property by approximately 10%.

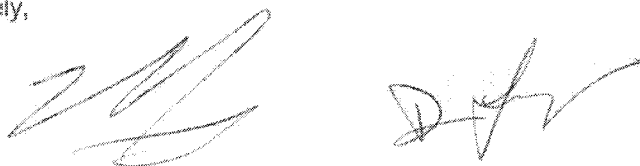
There is a large body of information on the internet concerning the safety of residents adjacent to cell phone towers. I have enclosed some information that I hope will make the planning commission at least aware of these potential health problems.

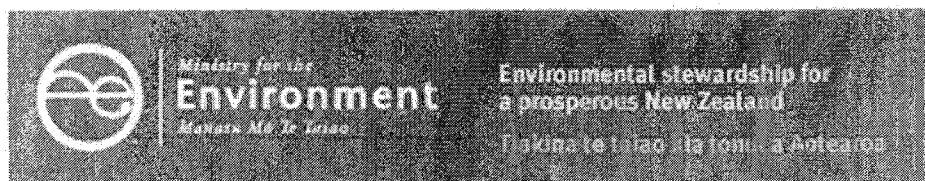
We recognize the importance of cellular communication and understand that towers must be built to facilitate that. We do feel that locating the tower adjacent to our property is detrimental to us and the surrounding property owners. Spuhn Island has plenty of space where the construction of a cell tower wouldn't interfere with aesthetics or value of property. The area designated Rural Park to the west of lots 1 and 2 would be a much better location. It wouldn't be close to property owners, the terrain appears to be at least as high as Parcel B, and it would be further out towards the water where it would benefit fishermen, a concern that Karla Allwine expressed when I discussed this matter with her.

We ask that the planning commission not approve the construction of this tower at its current proposed location, but be placed in the Rural Park area. We also ask that the planning commission require the tower to be disguised as a tree. This is common practice in areas where aesthetics are important.

Spuhn Island is a beautiful place that we feel fortunate to have a small part of it. We ask that you consider our opinions

Sincerely,

Two handwritten signatures are present. The first signature on the left is a stylized, cursive 'T' followed by a long horizontal stroke. The second signature on the right is a cursive 'D' followed by a series of loops and a final horizontal stroke.



ARCHIVED PUBLICATION

This publication is no longer current or has been superseded.

Appendix 5: The Impact of Cellphone Towers on Property Values

Cellphone towers can provide an additional source of income for those on whose property they are located, but in the neighbourhood they can raise concerns and opposition. The main concerns arise around:

- potential effects on health from increased electromagnetic radiation
- visual impacts and effects on neighbourhood aesthetics
- property value effects.

Scientific studies have been unable to demonstrate clearly and conclusively any adverse health effects from the presence of cellphone towers, but uncertainty remains in the public mind. Such concerns around perceived risk can affect attitudes and opposition to cell tower location. While towers can have an intrusive visual impact, particularly on specific properties, they need not be particularly visible if shielded by trees or buildings or attached as small modifications to existing structures (as in the case of extensions to roadside lamp posts). Effects on property values can occur, but these are manifestations of these other effects, not additional to them, as has been recognised by the Environment Court in New Zealand.²²

Internationally there have been press reports of substantial negative impacts on value of around 50%, but these are mostly anecdotal opinion from valuers, or reflect exceptionally intrusive situations rather than average or representative cases. The empirical evidence is more varied. Sandy Bond and co-authors conducted a series of studies employing a mix of qualitative opinion surveys, hedonic pricing of proximity to cell towers (using regression analysis of house sales data) and geographical information systems. They found the presence of towers could reduce property values by around 21% in Christchurch suburbs where towers received much contentious publicity, but had no significant effect or even a positive impact on property values in suburbs without such publicity.²³

Applying similar methodology in Florida, Bond found a smaller negative impact of around 2% reduction in value for properties close to cellphone towers, relative to similar properties elsewhere.²⁴ In United States and New Zealand studies, Bond found the impact reduced rapidly with distance of property from a cellphone tower site, to be negligible beyond 200–300 metres of the tower.

Bond suggests the lower percentage reduction in Florida than in New Zealand may be due to Americans being more used to, and hence less bothered by, towers than New Zealanders. However, small-percentage impacts on property values are found in other countries as well as the United States. The Canadian Spectrum Management and Telecommunications Report on the National Antenna Tower Policy Review cites case studies finding a 3% reduction from directly backing onto a microwave tower site, and a 7.2% reduction from installation of a broadcasting antenna tower.²⁵ A British study of neighbourhood effects on property values found mobile phone/telecoms masts had a 3% reduction in property values,²⁶ less than electricity pylons (9%) which are sometimes claimed to be similar,²⁷ and substantially less than the 15% reduction from proximity to waste facilities, late-night drinking and entertainment venues, or being under an airport flight path. New Zealand value effects may be proportionately larger because of the novelty or press coverage of cases in the study period, but this is likely to diminish over time as cellphone sites become more common and less intrusive, with more widespread and lower-profile distribution.

²⁴ Bond and Squires, 2006.

Mobile Telecommunications in KemptenWest

Blood levels alarmingly altered

The Citizens Initiative Kempten West, which was established after the installation of the T-Mobile transmitter on the bank building (in Lindauerstraße) is now able to present the first results of the blood tests. Unfortunately, the results confirm the fears of the Initiative.

The initial blood samples were taken in November 2006 before the transmitter commenced operation (Dec. 2006). The second set of blood samples were taken in May 2007, 5 months after the transmitter commenced normal operation.

All 28 participating residents had already removed DECT-Telephones and WLAN from their homes weeks before the first blood sampling took place and also reduced their mobile phone use to a few conversations outside home. Furthermore, 6 families had the electromagnetic exposure in their houses measured by technician Herr W. Jogschies, Wildpoldsried, both before and also after the installation of the transmitter mast. The second test results showed a several fold increase in the electromagnetic RF radiation exposure (the medical team has the measurements).

At the suggestion of Dr. med. M. Kern, the initiator of the 'Allgäuer Doctor's Initiative', and of alternative practitioner E. Strodl, the citizen's initiative decided to investigate the effects of the telecommunications mast on diverse laboratory parameters. At the same time, this series of analyses is part of a German-wide investigation into the effects of mobile telecommunications on humans (Dr. med. Hans-C. Scheiner in Munich (München)). The organisation, implementation and medical supervision of the project Suburb and the first summary of the results were handled by physician Anna Blanz.

The following laboratory values were established:

- o The differential blood picture using whole-blood
- o Serotonin daytime level from the blood serum (8 a.m. -9:00 a.m.)
- o Melatonin and from the blood serum (daytime level)
- o Determination of the nocturnal maximum melatonin excretion through determination of the melatonin metabolite

6-Hydroxy-Melatonin-Sulphate (6-OH-M-S) in the nocturnal total collected urine.

It is established that both, the "mood hormone" serotonin and also the "sleep-" and "immune defence hormone" melatonin is formed in the pineal gland of the brain, whereby serotonin represents a precursor of melatonin.

In healthy conditions a maximum of the sleep hormone melatonin is formed from serotonin during the night, whilst, during the daytime, the 'mood hormone' serotonin is shown to be clearly increased, at the expense of the then severely reduced amount of the 'sleep hormone', melatonin.

In addition, undisturbed melatonin excretion synchronises various biological and hormonal

rhythms in the human body and ensures deep revitalising sleep.

At the same time, melatonin represents one of the most important immune enhancing substances of our body and, as a free radical scavenger, it protects all body- and brain cells against genetic damage considered as a precursor to cancer.

Serotonin acts especially as a messenger for the nervous system and in the brain as a mood hormone. A reduction of the serotonin level is therefore associated with depression, lethargy and listlessness, inner agitation and many psychiatric disturbances.

The evaluation/analysis of 25 study participants (13 women, 9 men, 3 young people) who all live within a radius of 15-300 metres of the telecommunications mast produced the following results:

Melatonin in the Urine:

Only 8 out of 25 participants (28%) at the initial testing exhibited initial blood levels which were in the region considered to be normal. It was therefore a group of people that had already been pre-exposed.

For 14 of 25 participants (56 %), there was a decrease for the 6-OH-M-S in the collected nocturnal urine.

For 7 of 25 participants (28%), there was an increase, in most cases, within a region considered to be severely pathological.

Only one out of 25 participants (4 %) with normal initial level exhibited an increased level of 6-OH-M-S at the 2nd [blood] test.

Daytime melatonin in the blood serum:

As a rule, the daytime melatonin level in the blood serum is very much lower than the nocturnal maximum melatonin level.

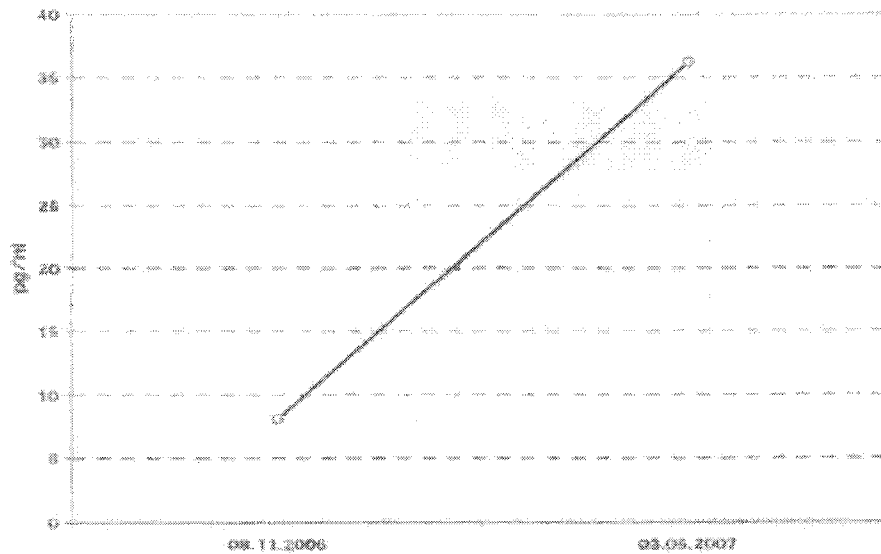
The paradox increase in the daytime melatonin levels reflects the general tendency to marked daytime tiredness of people exposed to radiation.

Melatonin levels clearly increased on average by about 4.5 times of the initial level for all 25 participants.

This effect is shown below based on the mean value (of 25 participants).

Graph

Melatonin in the serum



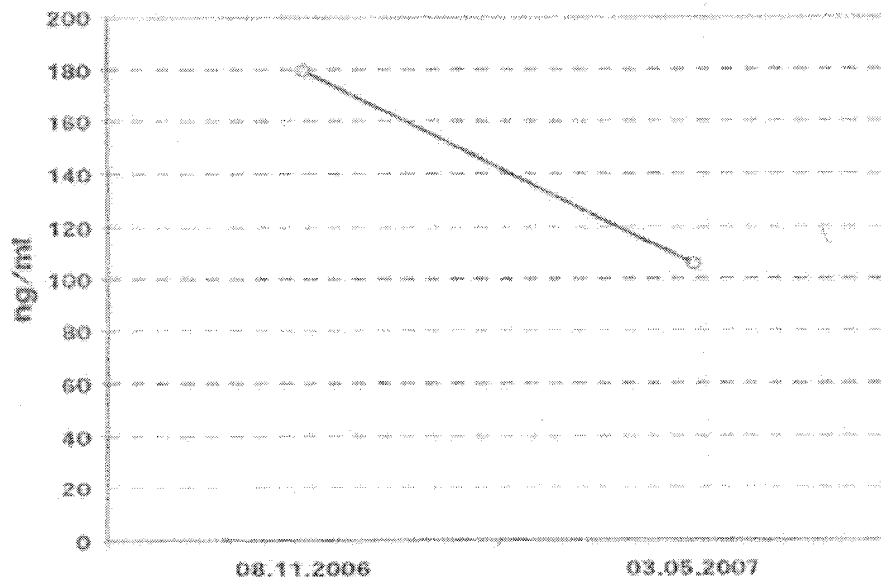
Serotonin in the blood:

At the second measurement 21 of 25 participants (=84%) presented a reduction of the 'mood hormone' serotonin (in the daytime blood serum) by an average of 46.3%. Of these, 10 participants showed a decrease of about 50% and above, with a maximum serotonin decrease of up to 68 %. For 3 participants it remained unchanged, for 1 participant the level was slightly increased.

The following graph shows this change based on the mean value of 21 participants:

Graph 2

Serotonin in the Serum



Summary Evaluation of the Results:

Especially alarming is the fact, that 84 % of participants, almost the whole group, reacted with a massive decrease in the serotonin level (average 46%) following increased exposure from the operation of the newly erected telecommunications mast.

The clear increase in depressive mood disturbances, lethargy and listlessness, appetite disturbances, inner agitation and reduced quality of life experienced by nearly all nearby residents must be acknowledged by orthodox medicine

Alarming is also the fairly steep nightly melatonin decrease in the presence of increasing telecommunication signal exposure, which is nearly half of the normal level for more than half of the group (56%). Even the slow increased tendency of nearly one third (28%) represents ultimately, despite a slight increase, only an upturn within a mainly deeply lowered pathological region.

We therefore have to expect considerable sleep disturbance and immune deficiencies in 84% (28 plus 56%). Since, from the medical viewpoint, sleep disturbance is increasingly seen as a cancer promoting risk factor, these numbers must be considered as alarming. The increase of the daytime melatonin level, that is also normally substantially lower in comparison to the nocturnal melatonin peak, also indicates a displacement of the flattened nocturnal distribution graph in the morning direction. Normally, the level increases about 1-2 hours after going to bed, it reaches a maximum between 2 a.m. and 3 a.m. and then drops off again steeply until the morning hours.

The blood sampling took place in the morning between 8 a.m. and 9 a.m. All participants went to bed the night before at the latest by 11 p.m. This increase indicates, in addition to the nocturnal melatonin reduction, also a displacement of melatonin excretion in the morning direction.

That means:

1. relative melatonin deficiency at night with shortened phases of deep sleep. This is indicated by restless sleep with frequency awakening and
2. increased melatonin level at the time of arising from bed. It is symptomatic of this, that one has difficulty getting out of bed in the morning and feels "absolutely whacked". During the day, consecutive symptoms appear, such as tiredness, irritability, loss of concentration etc. Actually, 16 participants complained about sleep disturbances, 6 complained that they were regularly awakened between 2 a.m. and 4 a.m. and that they then had difficulty getting off to sleep again.

Since the group of participants had no other obvious change in their living conditions, apart from the operation of the mobile telecommunications mast with the measured, appreciably increased radiation exposure, it must be assumed that there is a direct relationship.

Conclusion:

Since the medically conducted tests carried out on residents living in the vicinity of the commissioned operational telecommunications mast proves a drastically increased health

risk, immediate action by political and regulatory authorities , at the municipal, provincial-
and federal level are demanded.

In order to prevent further endangerment of the health of residents, the medical point of
view is that the operation of the telecommunications mast must immediately be stopped!

Dr Anna Blanz, -Dr. med. Markus Kern -Dr. med. Hans-C. Scheiner

Cell Tower Radiation—Is it Hazardous?

Posted by: Vidya, Editor



Dangers of cell towers have been well-documented over the last decade. Cell tower radiation is indeed hazardous, and more and more people are concerned about it.

Although the telecom industry and federal governments maintain there's no conclusive evidence of health risks of cell tower radiation, literally dozens of studies world-wide consistently warn us about the dangers. Following is just a sampling of these studies.

Research on Cell Tower Radiation

Australia: As far back as 1995, Prof. Henri Lai and N.P. Singh documented damage to the DNA of rats when exposed to the same kind of radiation as that emitted by cell towers. He conducted another study in 2004, which confirmed these earlier results. **DNA damage** can lead to a wide variety of disorders, including **cancer**.

In another Australian study two years later, Dr. Bruce Hocking in Sidney found that children living near TV and FM broadcast towers (emitting the same kind of radiation as cell towers) had more than twice the rate of **leukemia** than children living more than seven miles away.

New Zealand: In 2002, Dr. Neil Cherry, biophysicist at the University of New Zealand, wrote a 120-page review of 188 scientific studies on the dangers of cell towers. He stated that the government standards were based only on thermal effects, and did not take into consideration the non-thermal effects that also take place—such as **cell death** and **DNA breakdown**. "To claim there is no adverse effect from phone towers flies in the face of a large body of evidence."

France: In 2003, a study was conducted by R. Santini, et al, in Rennes, France. They found that people living within 300 meters of cell antennas reported the following disorders: **"fatigue, sleep disturbances, headaches, feeling of discomfort, difficulty concentrating, depression, memory loss, visual disruptions, irritability, hearing disruptions, skin problems, cardiovascular disorders and dizziness."**

Spain: Also in 2003, E.A. Navarro in Valencia, Spain conducted a study in which he concluded

that "exposed individuals that lived within 50 and 150 meters of the base station...experienced more headaches, sleep disturbances, irritability, difficulty concentrating, dizziness, appetite loss and dizziness."

Germany: Horst Eger, et al, in a study conducted in 2004 in Naila, Germany, gathered evidence from 1000 patients residing at the same address during a period of 10 years. Their findings were that the proportion of newly-developed **cancer** cases was three times higher among those who had lived at a distance of up to 400 m (1300 ft) from a cell tower, compared to those living further away. They also fell ill on the average of 8 years earlier.

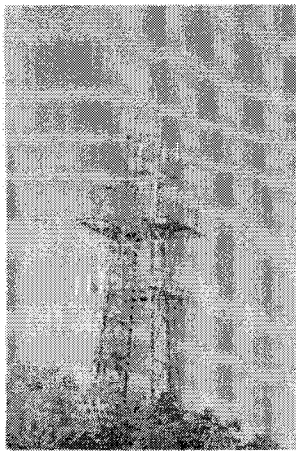
UK: In 2007, Dr. John Walker compiled a series of cluster studies on the effects of cell tower radiation. Seven clusters of cancer and other serious illnesses were discovered around mobile phone masts. Studies of the sites showed high incidences of **cancer**, **brain hemorrhages** and **high blood pressure** within a radius of 400 yards of mobile phone masts. One of the studies, showed a cluster of 31 cancers around a single street. A quarter of the 30 staff at a special school within sight of the 90ft high mast had developed tumors since 2000, while another quarter had suffered significant health problems.

Israel: In 2010, Dr. Siegal Sadetzki of Tel Aviv University testified at a US Senate Hearing that she had examined 622 people living from 3-7 years within 350 meters of a cell tower. They were compared to a group who lived further away. The results were startling: there were over four times as many **cancer** patients from the area near the cell tower. Women were especially susceptible.

India: In 2011, Dr. Neha Kumar at India's Anna University, et al., indicated a rise in **attention disorders** in people (especially in children) who received prolonged exposure to EMFs from cell towers.

What will it take to Alert People to the Dangers of Cell Towers?

With so much evidence about **cell tower radiation health risks**, how is it that governments



allow cell phone companies to continue to erect more and more cell towers and antennas? One factor, of course, is that although ever-growing numbers of people

are voicing concerns about possible health risks of cells towers, most people want good reception on their phones, wherever they happen to be. And competing cell phone companies are very accommodating; they strive to put up as many cell towers and antennas as they can to keep their far-roaming customers satisfied.

But another reason is that governments continue to protect the right of the telecom industry to put up as many towers as they want. In the US, the wireless industry is protected by Article 704 of the Telecommunications Act, signed by President Clinton in 1996. This act does not allow rejection of a tower based on health risks. It even prohibits arguments of potential health risks from towers to be made at a public hearing.

It's well-known that the US government receives sizable revenues every year in taxes from the telecommunications industry. And the telecom industry, of course, benefits greatly from its sales that are now sky-rocketing, even in a depressed economy. A speaker at a recent hearing on the subject of the dangers of cell towers aptly quoted Upton Sinclair: "It is difficult to get a man to understand something when his salary depends on him not understanding it."

July 17, 2012

Dear Members of the Planning Commission,

I am writing this while sitting at my dining room table above Smuggler's Cove, looking at the site where Westover Communications proposes a 150 foot tall cell phone tower. It took the city fathers twenty-five years of our family living in this unspoiled spot of wilderness before they allowed us to build a simple dirt driveway. We are tucked into a city park at the far end of Fritz Cove Road to be preserved for all to enjoy, unsullied, unspoiled, with wonderful views of Smuggler and Fritz Coves and Admiralty Island. For 23 years the family skiffed to the end of the road or hiked home daily. How quickly things can change.

We did finally get approval for our drive and today, just a few short years later, we are faced with loosing the wilderness views which Juneauites have enjoyed for decades. This is not hyperbole on my part. The same views are so integral to the North Douglas Highway that the road along Fritz Cove is listed as a protected viewshed in the current comprehensive plan. That plan was written during a different age, when cell phone towers were often non-existent or in a much simpler, rudimentary form. Today, everything hangs from these towers, making them a blight and an eyesore. One located on Spuhn, will have to be painted and lit to highlight it from the surrounding forests, due to the use of Fritz Cove as a pathway for small planes flying to Hoonah, Glacier Bay, and beyond. I hope that you can impose sufficient safeguards before issuing this permit that we all will not be faced with the vision of a lighted alien craft appearing to hover above eagle nesting trees at the highpoint of Spuhn Island.

There are alternatives available to us. If the tower should be found to be essential to communications planning, with no less odious alternative sighting possible, the configuration of the tower can be masked as a single lancet, resembling a monument. Or some towers are arranged and painted to resemble evergreen trees (I suppose the argument against this might be that Richard Carstensen might want to include such a giant in his listings for Grandfather Spruces.) If nothing else, I would hope that you would insist on variable lighting on the tower, to limit its intrusion on our nights. If a cell tower is not essential on Spuhn Island, then alternatives should be considered.

I suppose the fundamental question is of the essential nature of the new tower. There are certainly other locations that would not impact views of Fritz Cove. But in the big picture, we should be just as concerned with other possible locations for the over 50 proposed new and existing sites slated to be either built or expanded in Juneau. CBJ staff currently are developing rules and regulations for the ever expanding communications technology industry in Juneau. I believe that until those standards are in place a moratorium should be imposed on all new sites. This was the recommendation by CityScape Consultants, Inc. at their meeting with CBJ staffers on June 21. This meeting was called by the CBJ because of the need to get ahead of the industries plans and to provide an opportunity for establishing legal protocols prior to approval of contentious, intrusive siting of modern towers such as that proposed for Spuhn Island. At that meeting, when the consultant heard, for the first time, of Verision's plans to grid Juneau with fifty expanded or new towers, she first blanched, then recoiled, and blurted that the city needed to request a 120 day moratorium on site approval. I am sure that those whose views would

be heavily compromised by a modern, expansive cell technology tower on Spuhn Island would agree. From residents, to casual users, to visitor industries, to beach hikers, or North Douglas bicycle riders and fishers, the experience of an unsullied view from Smuggler's and Fritz Coves is worth spend time getting this issue right. Please impose a 120 day moratorium on new cell tower permits to allow CBJ staff the time to move us more gracefully into the future.

Respectfully,

Jon Lyman

808 Fritz Cove Road

Juneau, AK

Teri Camery

From: RANDY COLEMAN [randylisa@gci.net]
Sent: Wednesday, July 18, 2012 4:47 PM
To: Teri Camery
Subject: Conditional Use Permit for a 150-foot Cellular Tower on Spuhn Island

Teri, I see that the Planning Commission's consideration of this issue has been postponed until Tuesday, July 24. I would like you to incorporate my comments below into the briefing package for the Commission's consideration.

My name is Randy Coleman. I live at 1128 Reischl Way, which is off of Fox Farm Trail near the south end of Fritz Cove Road. My home is perhaps 3/4 mile from Spuhn Island. I respectfully offer the following comments.

I support the construction of a network of cell towers to improve cellular service in Juneau, and the introduction of Verizon to the Juneau area to provide competition and choice for customers. However, I object to the issuance of a conditional use permit for the construction of a 150-foot cell tower on Spuhn Island. The tower would be about 1.5 times the height of the Juneau Federal Building, located in a highly scenic area that is often viewed by lots of locals and visitors alike. In fact, it's hard to think of a location in Juneau where the impacts would be higher. It would also be at least a minor hazard to aviation--especially when the ceiling is low. These impacts are not necessary; I'm not an expert, but it seems that if the tower were built at a higher elevation (e.g., CBJ land near the top of Engineers Cutoff across from the FAA equipment), it wouldn't have to be so tall. In addition, it takes only a few minutes of research on the web to learn that many jurisdictions around the world have imposed significant restrictions on the building of new cell towers to minimize their number and scenic impacts. Many cities require all cellular providers to share towers, dramatically reducing their number. With Verizon coming in, and AT&T beefing up their network to compete, now is the time for CBJ to consider such measures. If current law does not provide the authority to impose such restrictions, now is the time for the Commission to recommend to the Assembly that it enact such authority, before either company completes its network of cell towers and the opportunity to reduce their cumulative impact on the community is foregone. If the Commission passes up the opportunity to reduce the cumulative impacts of two or more networks of cell towers, the community of Juneau will be much the worse for it, and will eventually hold the Commission to account for such an oversight.

Thank you for your consideration of these concerns.

Randy Coleman

Teri Camery

From: Carol Valentine [mscvalentine@hotmail.com]

Sent: Thursday, July 19, 2012 11:33 AM

To: Teri Camery

Subject: cell tower end Fritz Cove road

Ms Camery

Please see that the following letter is copied to the Planning Committee:

July 19, 2012

Ms Teri Camery:

Security is mostly a superstition. It does not exist in nature, nor does humanity as a whole experience it. Avoiding danger is no safer in the long run than outright exposure. Life is either a daring adventure or nothing.

Helen Keller

Many of us came to Alaska for adventure not for convenience or security.

OR

I don't want a cell phone tower jabbed into the island in my back yard. – Neither, I think, would you.

I believe this to be an eyesore installed for either convenience sake or someone will make money from it.

Either way, I strenuously object.

Alaskans are slowly dissolving the myth of the great pristine wilderness with mechanical toys, I wonder why.

Do we really think that they will make us safe? Please refer to the above quote by Helen Keller.

Sincerely,

Carol Valentine, resident, 1401 Fritz Cove Road

Teri Camery

From: Bob Woolf [rwoolfak@yahoo.com]
Sent: Thursday, July 19, 2012 4:44 PM
To: Teri Camery
Cc: Lesley M. Lyman
Subject: communications tower planned for Spuhn Island
Attachments: letter for Lesley and Jon to Teri Camery.docx

Teri Camery, Senior Planner
 City and Borough of Juneau
 Community Development Department
 teri_camery@ci.juneau.ak.us

Dear Ms. Camery:

I am writing to offer my personal assessment and perspective on the proposed communications tower for Spuhn Island. I have spent considerable time, usually in the company of many other people, at the home of Lesley and Jon Lyman, which would be a mere one mile distant from the tower. As my wife said the first time she visited the Lyman's home and walked out onto their deck overlooking Spuhn Island, "This is a healing place." That sense of wonder and beauty will be destroyed if the tower, with or without a flashing strobe light, is built right in the middle of that view. And it won't be just the homeowners who will suffer the loss. After all, we Alaskans rightly pride ourselves in how we share our communal splendor with each other. Let me say more about that.

It became apparent to me immediately, when I first arrived in Juneau during a snowy February day of 1973, that the beauty of the people of Alaska eclipsed the natural beauty of the landscape. That is saying a lot. As much as the next person, I have never lost my wonder and awe of our mountains, seas, and even the glorious tundra in the Yukon-Kuskokwim Delta where I taught for years. Nor did I manage to lose sight of the mystery in the sometimes bleakness of Saint Lawrence Island in the northern Bering Sea during fierce winter storms. Nor as a commercial fisherman in the Aleutians not long before our shrimp trawler sunk beneath frigid seas, even in those times of trial, the beauty that we hold dear never escaped me. But, still, it is the people of Alaska that is most special, as I tell those outside when they ask me, "So, what is special about Alaska?"

It is not the view from Smuggler's Cove that is most important or special as we consider building a communications tower on Spuhn Island. It is the people who gaze out on that view and feel healed, who understand why being home in Alaska is special, and who are important and special. When we lose sight of that fact, then we have indeed lost the Alaska we love.

The report, "**PERCEIVED IMPACT OF INSTALLATION OF AN 155' HIGH LATTICE COMMUNICATIONS TOWER PARCEL B, SPUHN ISLAND ON NEIGHBORING PROPERTY VALUES BASED ON INTERVIEWS WITH KNOWLEDGEABLE MARKET OBSERVERS, JUNEAU, ALASKA,**" has at least one major flaw. Contrary to statements in this report, the communications tower would in fact destroy the view from the homes near the end of Fritz Cove Road. The tower would not be a minor blemish. A mile distant is actually very close in this regard, not as reported. The report focused far too much on the potential loss of property values, which should indeed be a serious concern, but it failed to address the spiritual value of placing a blight on the viewscape of families who spent decades developing their homes, which for most of those years

had no road access, which says all the more about these people who worked so hard to be able to live where they have now settled in, for some to retire in peace, finally able to be at home to enjoy the tranquility and view after many years devoted to their work helping others.

In the case of the Lyman's, Lesley devoted most of her youthful energy for decades helping raise our kids, including my son, for whom she made a world of difference as his teacher. For Jon, he also worked with many kids, all over the state, including in Gambell, Angoon and Gustavus working my own students, to bring awareness to why and how we can take care of our watersheds to protect our salmon, as well as offering safety training and economic development for sport fishing and hunting guides.

It is not the Alaska way to wring dry our teachers who provided loving care for our kids, and then deprive them of the serenity of their homes after a lifetime of contributing to our society. To be deceptive about how this might happen, as was done with the appraisal report, is especially egregious. In closing, I quote from that report, which reduces the spiritual value of home to mere financial worth, which even then is not presented truthfully:

Conclusion

Based on a review of the competing potential similar study areas-neighborhoods, lack of documented discounts or negative market reactions towards the presence of cell towers in these residential settings based on interviews with local knowledgeable market observers, it is my conclusion there would be no substantial decrease of value due to the presence of the proposed cell tower to the surrounding neighboring properties. It is further my opinion that if a more in-depth study was completed through market price comparisons, it is highly probable it would not change this conclusion.

I hope our City and Borough of Juneau will consider the deception presented in this report, but more so, the well being of our hardworking citizens who deserve to be treated not just with respect, but with honor and to be cherished. That is the Alaskan way.

Sincerely,

<!--[if !vml]--> <!--[endif]-->

Bob Woolf

July 23, 2012

Karla Allwine
Steven Allwine
2180 Fritz Cove Rd.
Juneau, AK. 99801

City and Borough of Juneau
Planning Commission
Michael Satre, Chair
155 So. Seward St.
Juneau, AK. 99801

Re: Proposed cell tower on Spuhn Island

Dear Mr. Satre,

We are writing in support of the cell tower permit requested by Westower Communications. This should come as no surprise as we, operating as Spuhn Island Development, have a vested interest in the success of this endeavor. Under ordinary circumstances, we feel that it is inappropriate for the landowners to provide written comments as the execution of an agreement with the tenant indicates our support.

In this instance, we feel that the phrase "Spuhn Island" has become something of a lightning rod for derogatory comments on this project. We have seen in writing comments that indicate the height of the tower is, as high as, or higher than, Juneau's Federal Building. We have noted comments that indicate *that property values will plummet, and pristine views will be destroyed. A number of these comments* have come from people that do not have a view of Spuhn Island at all. In one case, the comment concerning height came from an individual that is 1.5 miles away from the proposed sight, facing the wrong direction. It is unfortunate that not one person has contacted us with questions concerning the *project.*

The reality is that the tower is located at minimum 1 mile away from the mainland at the top of a hill in a treed area. Dwellings on the island will face the opposite directions, as they tend to look towards the water and views. The tower, surrounded by trees, will not diminish the harmony of the area. In short, most people will not notice any impact from the placement.

The cell tower will have many benefits to the Juneau area including safety and convenience. It fills a major blind spot for cell users in Young Bay, Horse Island, Colt Island, Admiralty Island, and Shelter. Whether boaters, hikers, hunters, or campers an added measure of safety is provided.

When we initially developed the Spuhn Island project, we committed to preserving the integrity of the surroundings. A thorough examination of Spuhn Island included historical, wetlands, eagle nests and environmental. We salvaged a number of items from the old fox farm. Many of the items occupy the State and City museum. We sent several historical pieces around the country including the original bond offering for the Mark Hopkins Hotel in San Francisco. We understand that a few of the pieces we salvaged may be in the Smithsonian collection.

At that time we were met with significant criticism for disrupting what a number of people felt was their private park. During the permitting process, CBJ planners placed significant requirements on the project, including acquiring land on the mainland for resident parking. Some of the requested items were simply based on the fact that Spuhn Island had not changed ownership in fifty years. If you choose to review any of this information, you will find that we have performed responsibly. We met every obligation even when we felt the conditions were excessive. I cannot stress enough our genuine desire to preserve the original intent of the Spuhn Island setting.

As to the permit applicants themselves, we have been involved in discussions with the companies for about a year. We have found them to be responsible, trustworthy, and genuinely interested in responsible development. They will prove to be an excellent addition to our community.

In closing, we respectfully ask for the support of the commission in approving the conditional use permit.

Sincerely,

Karla Allwine

Steven Allwine

