

Page 148, 8.8 IA7, A – Support a separated ped/bike path through the Lemon/Switzer Creek neighborhood – would be a great addition to this community. However, it would need to occur on CBJ land as the state ROW is both not sufficient and has too many access points to make a separated path a safe option.

Page 149, Mendenhall Valley – Might be worth mentioning the Mendenhall Loop Capacity Improvements project. However, as with the Glacier Highway Project, this project is in very early phase of design, and not yet sufficiently funded for construction.

Page 150, Auke Bay and “Out the Road” – last sentence of the first paragraph – “the DOT maintains portions of this road year-round; the northernmost parts of it are snowbound and inaccessible during winter months” - Currently the full-length to MP40 is maintained year round. Only the new 3 mile section is not maintained in the winter. However, pending legislative budget reductions we may again reduce winter maintenance on the northernmost portions in future years.

Page 154 8.8IA27 There appears to be a rough break between North Douglas Actions and Thane Road discussion.

*Marie Heidemann*

Transportation Planner

State of Alaska DOT&PF - Southeast Region

Phone: (907)-465-1775

Dear Ben & Hal. Kim & Merrill, PC & Assembly members,

There are endless ways to tell a story. A good story teller thinks about their audience and their purpose before they begin. So, what is the purpose and who is the intended audience for the Community History that appears on pages 3 & 4, Chapter 1 of CBJ's Comprehensive Plan?

I think the purpose *should be* to inspire ourselves and pique the interest of new comers and prospective business interests by painting a picture of what is unique and compelling about our past, to illustrate what we are capable of accomplishing.

Of all the rich resources with which we are blessed, I believe our people are the most pivotal. They have the power, for better or for worse, to make the difference in what we will become. Will Juneau raise all its children to be above average, nurturing and encouraging the development of new innovations and expression of new ideas as it has since the turn of the century; or, in the interest of saving money, will we leave each person to find their own way in hope that the resources we save today won't somehow come due in the future? Will our leaders be satisfied to be among the top ten cities in the US for retired millionaires while its young people move away because they cannot afford to live here?

The ancestors of nearly one fifth of our population have been here for thousands of years and the story we have chosen to tell in the draft before us, not only disregards that long past, but insults that group as a whole by continuing to perpetuate the dense and careless imagery of 19th century Washington DC where it never has belonged and never will fit without causing pain and continued harm.

I believe that most of Juneau's population, have heard stories of the gold rush days and the struggles of the pioneers. Many have allowed themselves to consider how that time in history must have been for the first inhabitants. I don't believe it is possible to hear the ancient stories and experience the arts and artifacts and NOT feel respect for the people who were here before us. We hold the elders of all ethnicities in our community with great respect and look with pride and a sense of anticipation and hope at the coming generation of young leaders. We should say *THAT* when we tell our story.

We have a rare opportunity, as we update our City's Comprehensive Plan, to edit these six paragraphs in a way that tells a better story and corrects some of the misrepresentations of the past that unintentionally convey disrespect for our native population.

All people have a name that they give themselves. We, as tellers of the story, demonstrate our respect by using that name (in this case, the Auk Kwáan Tlingit). There are no tribes in Alaska and there are no Chiefs except as imagined by bureaucratic Alaska's first people have clans, and they have elders from each clan that sit in counsel and come to consensus before major decisions are made.

History notes that Chief Kowee lead Richard Harris and Joe Juneau, to gold in Gold Creek above Last Chance Basin. That history was told by Harris and Juneau, perhaps to honor this Tlingit's contribution to their "discovery." What this story does not acknowledge is that the elders had met to discuss whether or not to help the new comers in their search for gold. They knew the stories from their trading partners in the far north and in the lower 48, about the endless oceans of outsiders who had flooded into native lands. They had heard about the great wars and dislocation, and loss of ways. They did not want this to befall their families and their land. They agreed NOT to help the outsiders. But Kaawa.ee (there is no need to bastardized the spelling of his true Tlingit name) disregarded the decision of the counsel and did as history has recorded. I cannot say why. Perhaps his family knows. Kaawa.ee may have been paid for his services, but I am certain he and his descendants have paid for his decision, and continue to pay many times over.

I tell you all of this, not because it is the story we should tell, but because I hope it will help you to understand and agree that now is the time to write a new story. Below I will show CURRENT and PROPOSED alternatives for you consideration. There are many ways to tell a story. How we tell ours rests squarely in your hands.

..... Current and proposed language for draft comp plan, chapter one .....

#### Community History

##### CURRENT

Juneau has developed into an important government, regional shopping, shipping and tourist center as a result of its location and history. The general vicinity was first inhabited by the Auk and Taku Tlingit tribes.

##### PROPOSED

The place we call Juneau has always been an important regional economic and cultural center as a result of its location, ecosystem, resources, and people. Juneau lies within the homeland of the Auk Kwáan Tlingit. Due, in part, to the mild climate and abundant marine and forest resources, the Auk Kwáan people flourished for thousands of years before contact, as caretakers of this place, working in harmony with the natural order of things.

#### CURRENT

Although nearby waterways were explored by the Spanish and the English in the late 18th century, the first European inhabitants were Russian fur traders. Alaska remained an outpost of the Russian Empire until its sale to the United States in 1867. In 1880, Chief Kowee led two prospectors, Richard Harris and Joe Juneau, to gold in Gold Creek above Last Chance Basin. Soon after, large-scale mining activity was undertaken in Juneau and on Douglas Island. By 1893 the area had become the largest mining center in Alaska

#### PROPOSED

When men of science and religious leaders on the other side of the globe came to agree that the Earth was round, imaginations were piqued by the possibilities for wealth and adventure. Long after the Americas had been colonized, under patronage of Peter the Great, Captain Vitus Bering sailed east from Russia and as far south as Sitka and made many discoveries in the year 1741. In 1799, Tsar Paul I granted a 20 year Charter and Edict to allow establishment of the Russian-American Company, primarily focusing on fur trading. After less than 70 year, wild stocks were depleted and Russia could no longer support its Alaskan interests. Russia sold its interests to the US government through the Alaska Purchase and Treaty of Cession in 1867. American miners, merchants, and immigrants in search of opportunities for a better life began to arrive in earnest in this area. In 1880, Richard Harris and Joe Juneau came to scouting for gold and located deposits at Gold Creek and above Last Chance Basin. Soon afterward, large-scale mining activity was undertaken in Juneau and on Douglas Island. By 1893, the area had become the largest mining center and Juneau the largest city in the Alaskan Territory.

#### CURRENT

The territorial capital was moved from Sitka to Juneau in 1906. Steady growth continued until 1944, when the last of the large gold mines closed due to the wartime work force shortage and increasing operational costs. By that time, Juneau had sufficiently diversified its economy to sustain this loss of the mining industry.

#### PROPOSED

The territorial capital was moved from Sitka to Juneau in 1906 and Juneau prospered and grew.

Like all communities, we take the good with the bad, and some of it was very bad. Then as now, newcomers came in search of adventure and good fortune and some were ill prepared for the hardships brought on by the weather, winter's darkness, and the absence of a road to allow for easy escape when times got tough. While fate guarantees no kindness to newcomers, neither did it spare its first people of hardship in the new era. There was no war of conquest between the whites and the natives, but the federal government did not feel an urgency to acknowledge their sovereign rights to traditional lands and self-governance. With the influx of newcomers, the Auk Kwáan Tlingit found themselves dispossessed their lands and unwelcome in the decisions that would shape our shared future.

But most of our story is very good. The Tlingit believed in the power of assimilation and, despite misgivings, some sent their children away to learn the ways of these newcomers and their government; and they also continued to believe strongly in the value of the old ways and some stayed here and fought to preserve and retain those ways. In 1912, the Alaska Native Brotherhood and Sisterhood organized as a grassroots political group to represent the Tlingit and Haida of Southeast Alaska. Through their efforts, in 1936, the federal government signed the Alaska Act, an amendment to the Indian Reorganization Act of 1934, which allowed tribes to form representative tribal governments. In the Juneau area two tribes were created and recognized; the Douglas Indian Association representing the local Native population and the Central Council of Tlingit and Haida Indian Tribes of Alaska, which served as a tribal government for the Tlingit and Haida of Southeast Alaska.

And the newcomers believed in the power of economic development. Spurred on by opportunities from resource extraction, necessity inspired great innovations in support of mining. The Alaska-Gastineau Mining company built the World's first constant-angle arch variable radius dam at Salmon Creek in 1914 to produce electricity for mining. Annex Creek, the nation's first hydro-electric lake-tap dam was built in

1915 for the mine at Thane. State-of-the-art technology was developed here made the AJ Mine the largest producing low-grade gold mine in the world; operating from 1917 until it closed in 1944 due to lack of man-power in World War II.

## CURRENT

Since Alaskan statehood in 1959, a growing tourist industry and the expansion of governmental activities have provided the community with sustained, although now considerably slowed, growth. For two decades prior to the 1982 general election, the state considered relocating the State Capital to a more central location, causing a high level of uncertainty about the community's future. That election retained the Capital in Juneau and the 1980s continued with buoyant state budgets, many physical and cultural improvements, and substantial residential and commercial development. However, in 1986, the state's revenue expectations were urgently revised following a substantial plummet in the price of oil. Several hundred state employees were laid off and many left town. Compounding this event was the effect of non-local contractors and construction workers who had arrived in earlier years to participate in the post 1982 boom. When the boom was over, these people also left town. A substantial vacancy in all types of housing, especially apartments, was one of the results, along with substantial loss of value in real estate due to lack of buyers.

## PROPOSED

Economies based on resource extraction have always been subject to boom and bust cycles. Since Alaskan statehood in 1959, a growing tourist industry and the expansion of governmental activities have provided the community with a degree of diversification that has served to allow for continued growth. As the Capitol City, we are unique compared to other states in that we are not accessible by road to any other community in our state. We have long argued amongst ourselves about whether we should build a road to connect us to the rest of the state. We worry that if the State Legislature should decide to move out of Juneau, it would be a gigantic economic blow. So we continually look for new ways to provide better service to our legislative visitors and guests together while simultaneously working toward further diversification and innovation to strengthen our outlook for current and future generations.

Juneau continues to be a home for innovation. We are home to the University of Alaska Southeast, a NOAA research facility, and more. We are open to new ideas, like the first post tension concrete bridge ever build, connecting the Island of Douglas to the mainland. Alaska Airlines pioneered and tested a land proximity detection system that has been approved and adopted to improve service and safety world-wide. Juneau was an early adopter of technology, using the Internet for delivery of State services and remote communications. We have extensive fiber optic infrastructure, and are employing efficient, clean geo-thermal heating in public buildings.

Juneau's strong native political structure was instrumental in securing the passage of the Alaska Native Claims Settlement Act of 1971 and, as a result, two more federally recognized tribal governments were established here: Goldbelt Inc., an urban Native corporation representing Juneau area Alaska Natives, and the Sealaska Corporation, a regional Alaska Native corporation representing the Tlingit, Haida, and Tsimshian across Southeast Alaska. Although most Tlingit view sovereignty as being vested in Tlingit clans, these federally recognized tribes serve as the outlet for administering tribal programs and serving its tribal audience.

Juneau is also home to representatives of many other diverse ethnic groups. The US Census of 2010 reports that one third of our community is not Caucasian. Filipinos, Pacific Islanders, and Hispanics add much to our community and our international flair. Comparing ourselves to others, Juneau truly is the mixing pot. 2% of the nation-wide population is of two or more ethnicities, in Anchorage it's 7.3%, but in Juneau, 9.5% of our population can claim family ties to more than one racial sector. This designation is second only to Alaska Natives (11.8%). Surely this speaks volumes to how the barriers of the past that have separated us are breaking down if so many of us have shared family ties.

Juneau prides itself as a community with high concentrations of physically fit, well-educated, financially stable professionals, academics, and entrepreneurs with a strong commitment to volunteerism. We support visual and performing arts, enjoy team sports both as spectators and as participants, and deeply appreciate the natural beauty we see around us everyday.

Juneau is not without its problems: insufficient affordable housing for young working families must be addressed. Our high school drop-out rate, drug and alcohol addictions, domestic violence, and chronic homelessness problems are all too high. But we have many good people who are working hard to address these and other problems and catch them earlier to break the cycle.

#### CURRENT

The mid-eighties economic downturn eventually came to an end as Juneau's population slowly started to grow again, so that by now, more than twenty years later, the population has grown to over 31,000 persons and over 13,000 households. Between 1990 and the year 2000, the population increased 13 percent yet housing units increased by only 8 percent. The community's housing stock of approximately 13,000 units allows a vacancy rate of less than 1 percent for all types of housing except multi-family rental units in apartment buildings, which reflects a 3 percent vacancy rate. With such a low vacancy rate, there is little choice in housing size, price and location for resident households. Housing costs, including home heating, can consume more than 50 percent of a household's income. Housing affordability has become a crisis due to the hardships it causes individual households as well as to employers. Business operators comment that they cannot attract or retain valuable workers because they cannot afford to pay high enough salaries to their employees to enable them to purchase homes in the community. Many young Juneauites leave to attend college elsewhere and do not return because of limited opportunities to develop their career goals and/or to find affordable housing to start or grow a family—resulting in what is called the "brain drain" of Juneau.

#### PROPOSED

<I see no need to give this much attention to one decade. Anything of value here can be covered in the housing chapter. I'd drop the above paragraph.>

#### CURRENT

For the past few years, the local population and economy has grown relatively slowly, at about a 1 percent annual growth rate. The community's economy is dominated by government and summer season tourism. The CBJ rehabilitated its downtown docks in the early 1990s and cruise ships have increased in size, as well as in the number of visits per season; additional dock expansion is planned for 2013-2015. The community seeks to diversify its economic base by facilitating new or expanded export industries such as mining, food processing and manufacturing. Juneau's growth, however slow, is in contrast to most other communities in the Southeast region, and to the region as a whole. "Capital Creep," the process of losing state jobs to locations outside of Juneau and primarily to the Anchorage area, also affects Juneau's future population and economy.

#### PROPOSED

<I see no need to give this much attention to one decade. Anything of value here can be covered in the chapter on economic factors. I'd drop the above paragraph.>

Thanks,

*Ruth*

Ruth Danner  
1028 Arctic Circle  
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(907) 796-1533 (w)

Dear Ben / Hal

I recommend the following changes to Chapter 12's section on Wireless Communications Facilities (WCF). The first paragraph is troublesome because it sets the stage by restating a major misconception. In the first paragraph, towers are introduced as synonymous with WCF. Towers may or may not be present in a WCF. WCFs consist of antennas, some kind of support structure, and appurtenances on the ground that connect them to power and to land lines. The Telecommunications Act of 1996 (the TCA) identifies wireless communications as a utility with special privileges and puts limits on a municipality's rights to unreasonably obstruct their ability to meet a demonstrated need for service. Municipalities are expressly prohibited from denying WCF permits based on concerns over radio frequency emissions (RFEs). The TCA requires WCFs to operate below specific limits, and while the municipality can require evidence of compliance, they cannot set or adjust those limits.

**REPLACE CURRENT DRAFT WHICH READS:**

Wireless Communications Facilities (WCFs), also commonly known as "cell phone towers" (although WCFs include many more types of facilities than just cellular phone and data equipment), are an increasingly common sight in Juneau. Although these structures can have a profound impact on views, and are perceived by some members of the community as undesirable or as potential sources of unknown health risks, these facilities enable on-demand communications for residents, visitors, and emergency services. Local regulation of WCFs is restricted by federal law (the Telecommunications Act of 1996, in particular), so some concerns cannot be addressed in local regulations.

**WITH THE FOLLOWING PROPOSED LANGUAGE:**

Wireless Communications Facilities (WCFs), commonly referred to as "cell phone towers," include a wide variety of antennas, equipment and some kind of support structure (usually a tower). These facilities enable on-demand communications for residents, visitors, and emergency services but as they continue to appear in greater concentrations, they are not without controversy. Some residents worry about potential health risks posed by the radio frequency emissions or find towers and antennas to be aesthetically unattractive. Local officials who must review applications for the installation of wireless transmission equipment are torn between the opposition by local residents and the City's need for such communications equipment. Under the Telecommunications Act of 1996 (the TCA), local governments' zoning authority over the placement, modification and construction of wireless facilities is protected, and limited only by specific provisions designed to enable carriers to provide for adequate coverage.

**FOR YOUR CONSIDERATION IS FLESHING OUT THE SOPs and IAs:**

Municipalities can maximize their control over the siting of wireless facilities, and yet comply with the TCA mandates, by utilizing traditional zoning mechanisms to create a system of incentives. Local officials may certainly identify the best and worst places for these facilities and structure an incentive system which would guide wireless carriers to preferred locations. Logically, if municipalities structure their zoning ordinances to make it less burdensome for wireless carriers that choose preferred sites, while making it more burdensome for those who choose less preferable sites, carriers will likely choose the "path of least resistance." In addition to enticing carriers to opt for the most preferable sites, an incentive system enables maximum control over

aesthetics, and may be used to encourage co-location in order to minimize the proliferation of wireless communication sites.

The first step under this special permit incentive system requires local officials to initiate a study to identify potential wireless facility sites and to "rank" them according to their suitability. Residential areas and other "sensitive" properties (perhaps schools or hospitals)<sup>[1]</sup> would generally be the least favorable sites, while existing wireless facility sites would be the optimum location at which to co-locate additional facilities. Other examples of possible preferred sites include industrial and commercial areas, locations along major thoroughfares, and existing towers and other tall structures in non-residential areas.

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<sup>[1]</sup> "Sensitive" properties are found in areas where the design integrity is such that to site wireless facilities within them would be inconsistent with maintaining their existing neighborhood character.

**FIX THE TYPO IN RED:**

POLICY 12.11 TO PLAN FOR AND TO ESTABLISH LAND USE CONTROLS ON WIRELESS COMMUNICATIONS FACILITIES IN A MANNER THAT IS APPROPRIATE FOR THE COMMUNITY AND WITHIN THE PARAMETERS ESTABLISHED BY FEDERAL LAW.

**INSTEAD OF:**

12.11 – DG2 Encourage the location and collocation of WCF on existing structures to minimize the need for additional WCF.

**I THINK YOU MEANT:**

12.11 – DG2 Encourage the location and collocation of WCF on existing structures to minimize the need for additional structures.

**IN CONCLUSION:**

Along with several of my neighbors, I participated in an appeal in 2009, securing from the Assembly a pledge in their Notice of Decision that they would provide the resources necessary for CDD to develop a Wireless Master Plan. Meaning no disrespect to anyone at CDD, the resources do not exist within staff to absorb all the lessons learned from all the communities who have already covered this ground. Google "The most beautiful cities in the world." You will not see any cell towers in those photos and yet I know wireless service is available there. We don't need to reinvent the wheel. We need to know what the experts know so we can have the services we need and want without sacrificing OUR claim as one of the most beautiful places on the planet.

Thank you for your efforts in this matter and your continued commitment to our community

Sincerely,  
Ruth Danner  
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## Benjamin Lyman

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**From:** Ruth Danner <ruthdannerofjuneau@gmail.com>  
**Sent:** Monday, March 11, 2013 6:43 AM  
**To:** Benjamin Lyman; Hal Hart; Greg Chaney  
**Subject:** typos in the draft comp plan

Page 31: "lake the resources" should be "lack ..."  
"homeless poppulation" should be "... population"

Page 32: replace "focused attention" with "concerted efforts"  
replace "Connect event, the" with "...event; the"  
replace "understood that" with "believe" (present tense)  
check the punctuation and spacing after "physical health issues-" That hyphen needs a space in front of it to convert it to a dash to match the beginning of this clause.

Page 33: replace "Affordable Housing as defined by the Department of Housing and Urban Development, uses the following categories:"  
with "Affordable Housing is defined by the Department of Housing and Urban Development using the following categories:"  
replace "a moderate income is a household" with "moderate income refers to a household"  
replace "low income is a household" with "low income references a household"  
replace "very low income is a household" with "very low income is used to mean households"  
AMI does not need to be spelled out again in the second paragraph on Affordability because it is defined in the first paragraph.  
replace "between 50 and 120 percent of the average median income (AMI) Households earning" with "between 50 and 120% of AMI. Households earning"

The graph at the top of page 34 is illegible. Have you considered a table of years, units added, and totals instead?

You mention the Housing Trust model without defining it. Here is what I found on the web. I recommend plagiarizing it:

Housing trust funds (HTFs) are distinct funds established by cities, counties and states that dedicate sources of revenue to support affordable housing. Housing trust funds are usually created by legislation or ordinance. At present, there are more than 170 housing trust funds in the United States.

### Housing Trust Funds:

- commit public sources of revenue;
- create dedicated, ongoing funding for the support of affordable housing;
- do not depend on interest or earnings from a fixed fund, or on contributions from corporations, financial institutions or foundations.



The housing trust fund model is an innovative departure from the way that dollars have historically been secured to support affordable housing.

I am stopping at page 35 for now. Am I covering ground that has already been covered by others and corrected? I am working from the version that is posted to the Web, but if there is a more current version, I would appreciate working from the new red-lined version so I can focus my efforts where they are needed and not where they are not.

Just between us, when do you think this document will be ready for Assembly consideration? I sent my draft on Community History out to the 5 native leadership organizations to see if they will have comments this weekend. But the elder council model of discussion, consideration, and consensus building is not something that can be rushed. I do not know if they will respond and if they do, I have no way of anticipating what they will say. But if it took us 150 years to get the story this messed up, we ought to be able to give them a little more time to help straighten it out if they request it.

Thanks for all your help with this.

Best regards,

*Ruth*

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## I. The Role of Government in addressing Housing Problems

In considering what the role of government should be in supporting housing development, I believe the PC, CDD, and Building Depts serve to assure that housing meets reasonable standards that are important to the long-term benefit of the community. I am leery of government competing with private industry. There are times when industry will not act to fill a need because it does not pencil out. I like the idea of exploring tax incentives to tip the balance toward building more market rate housing.

But in the case of housing for those with incomes below 80% of MFI, I am concerned that building and land costs are too high for private industry to fill that need. So there may be projects that will not be built without government involvement. In those cases, I believe if you want to see progress, you must consider the cost of housing vs the social and financial costs of NOT housing.

To provide the most value to encourage informed decision-making, the housing chapter (page 29) should provide answers, not questions. At the bottom of page 29, it says, "A 5% vacancy rate is not a healthy vacancy rate for all housing types, although it may be a healthy rate for multi-family residences." Don't tell us what it is not; tell us what it IS. As a matter of policy (informed by industry and economic standards), this document should state its goal or suggestion for a healthy targeted vacancy rate for single-family housing. In the absence of information to the contrary, I think we have sufficient population turnover here (around 10% per year) that the single-family housing supply does fine relying on the open market so long as we have a growth in single-family housing to match our growth in permanent employment.

Multi-family housing fills three needs: (1) as entry level housing for new arrivals and young professionals, (2) for those whose household income is insufficient to support home ownership, and (3) as a preferred alternative for those who do not wish to own. Because of the degree of speculation and capital investment required to meet this need, I think this is where government energy should focus. The draft comp plan says, "One of the most effective indicators of housing choice is the vacancy rate of each housing type in the community's inventory." CDD should be tasked with serving as the central clearing house for solid, reasonable, easily accessible and easily understandable information about how many multi-family units are needed by number of bedrooms, which is updated and kept current in real time.

For example, if I came in tomorrow to say I have a project to propose for 24 - 2 bedroom multi-family units, I should be able to see that last week the report showed a need for between x and y units of that type and that yesterday someone filed notice that they were in the pre-development stage for 48 units that are projected to be ready for occupancy in 2014. Based on that information and the fact that I would also be able to see current demand for 3 bedroom units, I could modify my plan accordingly. Juneau would gain the unit types it needs without overbuilding, a mistake which results in a different kind of housing and economic crisis.

This would take some work but help to alleviate a level of uncertainty that causes supply to lag demand. Someone would have to develop and document the methodology. Someone would have to educate developers and potential developers on the value it provides. Someone would have to monitor progress on projects in pre-development to make sure all projects were really going forward. But the payoff would be considerable. By providing this kind of information to the building community, CDD would add value that could contribute to a better housing picture in the future.

## II. Confusion Over Data

Page 30 of the draft comp plan quotes many contradicting sources. It quotes an oft repeated reference to "2007 vacancy rate for single family homes of 0.86%" and says, "Practically speaking, a one percent vacancy rate is equivalent to zero availability of housing and demonstrates a critical housing shortage." This is what the politicians and concerned citizens hear, remember, and repeat. But looking at Table 4.1 on the same page, we see that average vacancy rates are all well above 1% by type. Attached are statistics published on the US Census website that say Juneau has over 5% vacancy rate. Of course there are many ways to look calculate statistics, so I have a question in to them now with regard to their methodology. I hope to have their answer to share with you soon.

If the methodology of the attached statistics is sound, can we use it directly, identifying 2010 US Census as the source to avoid confusion? The attached document has a great deal to offer in terms of unit size and availability, rentals vs owner occupied properties, in essence everything CDD would need as a starting point for a real-time housing status tracking system.

According to the 2010 US Census (<http://quickfacts.census.gov/qfd/states/02/0236400.html>), Juneau has 13,055 housing units.

① Housing units, 2010	13,055
① Homeownership rate, 2007-2011	64.5%
① Housing units in multi-unit structures, percent, 2007-2011	32.9%
① Median value of owner-occupied housing units, 2007-2011	\$299,100
① Households, 2007-2011	12,379
① Persons per household, 2007-2011	2.46
① Per capita money income in the past 12 months (2011 dollars), 2007-2011	\$37,294
① Median household income, 2007-2011	\$77,465
① Persons below poverty level, percent, 2007-2011	6.3%

We should consistently use ONE number for our housing units and reference its source. The final published Census number is the most defensible and most current I have seen, but if we have justification for using something else, we should disclose that justification. Regardless of which number is selected, it should be used consistently throughout this document with the source clearly identified.

### III. Existing Housing Stocks (beginning on p.34)

This section falls back to the 2000 census and is therefore too old to be of value to builders and developers (see first point, "Role of Government" discussed above). One can easily calculate the % of residential units over 60 years with the old information about the number of houses built prior to 1950 as numerator and the number of housing units in the 2010 Census as the denominator.

The table on the top of page 35 is illegible. Table 4.2 includes most of the data necessary to make the same point. I recommend the data from pre-1939 through the 1960s be added to Table 4.2 and figure 4.4 be removed.

The paragraph that begins "During the 1990s ..." is too difficult to read for all but the most determined. It is not clear why the author is calculating annual average housing starts when % of increase in population and % of increase in housing are both easy concepts for a quick comparison. This narrative says, in part, "In the period from 2000 through 2006, 628 new dwelling units were built, but Table 4.2 says 1228 units were added, an average of over 200 per year, not 90.

### IV. Need more time for Comp Plan Review

I am only to page 35 of Chapter 4. I trust that others are showing the same kind of diligence in their review of other chapters. I respectfully request that we do not rush adoption of this update until it has been thoroughly reviewed and vetted.

Sincere regards,

*Ruth Danner*

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DP04

## SELECTED HOUSING CHARACTERISTICS

2007-2011 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Subject	Juneau city and borough, Alaska			
	Estimate	Margin of Error	Percent	Percent Margin of Error
<b>HOUSING OCCUPANCY</b>				
Total housing units	13,049	+/-133	13,049	(X)
Occupied housing units	12,379	+/-243	94.9%	+/-1.4
Vacant housing units	670	+/-185	5.1%	+/-1.4
Homeowner vacancy rate	1.3	+/-0.9	(X)	(X)
Rental vacancy rate	2.0	+/-1.4	(X)	(X)
<b>UNITS IN STRUCTURE</b>				
Total housing units	13,049	+/-133	13,049	(X)
1-unit, detached	6,189	+/-268	47.4%	+/-2.0
1-unit, attached	1,465	+/-198	11.2%	+/-1.5
2 units	954	+/-202	7.3%	+/-1.5
3 or 4 units	998	+/-194	7.6%	+/-1.5
5 to 9 units	896	+/-184	6.9%	+/-1.4
10 to 19 units	563	+/-137	5.1%	+/-1.0
20 or more units	760	+/-141	6.0%	+/-1.1
Mobile home	1,071	+/-167	8.2%	+/-1.3
Boat, RV, van, etc.	33	+/-36	0.3%	+/-0.3
<b>YEAR STRUCTURE BUILT</b>				
Total housing units	13,049	+/-133	13,049	(X)
Built 2005 or later	369	+/-87	2.8%	+/-0.7
Built 2000 to 2004	741	+/-191	5.7%	+/-1.5
Built 1990 to 1999	1,430	+/-200	11.0%	+/-1.5
Built 1980 to 1989	3,317	+/-268	25.4%	+/-2.1
Built 1970 to 1979	3,753	+/-292	28.8%	+/-2.2
Built 1960 to 1969	1,131	+/-201	8.7%	+/-1.5
Built 1950 to 1959	876	+/-203	6.7%	+/-1.6
Built 1940 to 1949	363	+/-115	2.8%	+/-0.9
Built 1939 or earlier	1,069	+/-167	8.2%	+/-1.4
<b>ROOMS</b>				
Total housing units	13,049	+/-133	13,049	(X)
1 room	297	+/-115	2.3%	+/-0.9
2 rooms	620	+/-131	4.8%	+/-1.0

Subject	Juneau city and borough, Alaska			
	Estimate	Margin of Error	Percent	Percent Margin of Error
3 rooms	1,775	+/-266	13.6%	+/-2.0
4 rooms	2,745	+/-360	21.0%	+/-2.9
5 rooms	2,653	+/-296	20.3%	+/-2.3
6 rooms	1,951	+/-233	14.2%	+/-1.8
7 rooms	1,356	+/-230	10.4%	+/-1.7
8 rooms	827	+/-183	6.3%	+/-1.4
9 rooms or more	925	+/-172	7.1%	+/-1.3
Median rooms	4.9	+/-0.2	(X)	(X)
BEDROOMS				
Total housing units	13,049	+/-133	13,049	(X)
No bedroom	410	+/-133	3.1%	+/-1.0
1 bedroom	1,936	+/-241	14.8%	+/-1.8
2 bedrooms	3,570	+/-311	27.4%	+/-2.4
3 bedrooms	5,021	+/-337	38.5%	+/-2.6
4 bedrooms	1,641	+/-243	12.6%	+/-1.8
5 or more bedrooms	471	+/-120	3.6%	+/-0.9
HOUSING TENURE				
Occupied housing units	12,379	+/-243	12,379	(X)
Owner-occupied	7,982	+/-287	64.5%	+/-2.3
Renter-occupied	4,397	+/-324	35.5%	+/-2.3
Average household size of owner-occupied unit	2.65	+/-0.07	(X)	(X)
Average household size of renter-occupied unit	2.11	+/-0.11	(X)	(X)
YEAR HOUSEHOLDER MOVED INTO UNIT				
Occupied housing units	12,379	+/-243	12,379	(X)
Moved in 2005 or later	5,662	+/-314	45.8%	+/-2.3
Moved in 2000 to 2004	2,344	+/-251	18.9%	+/-2.0
Moved in 1990 to 1999	2,518	+/-257	20.3%	+/-2.0
Moved in 1980 to 1989	1,033	+/-171	8.3%	+/-1.4
Moved in 1970 to 1979	542	+/-129	4.4%	+/-1.0
Moved in 1969 or earlier	260	+/-79	2.1%	+/-0.6
VEHICLES AVAILABLE				
Occupied housing units	12,379	+/-243	12,379	(X)
No vehicles available	1,056	+/-180	8.5%	+/-1.5
1 vehicle available	4,437	+/-339	35.8%	+/-2.7
2 vehicles available	4,635	+/-405	37.4%	+/-3.1
3 or more vehicles available	2,221	+/-297	17.9%	+/-2.4
HOUSE HEATING FUEL				
Occupied housing units	12,379	+/-243	12,379	(X)
Utility gas	266	+/-66	2.1%	+/-0.7
Bottled, tank, or LP gas	390	+/-111	3.2%	+/-0.9
Electricity	2,586	+/-266	20.9%	+/-2.1
Fuel oil, kerosene, etc.	8,448	+/-320	68.2%	+/-2.4
Coal or coke	17	+/-26	0.1%	+/-0.2
Wood	558	+/-161	4.5%	+/-1.3
Solar energy	0	+/-78	0.0%	+/-0.2
Other fuel	65	+/-52	0.7%	+/-0.4
No fuel used	29	+/-22	0.2%	+/-0.2
SELECTED CHARACTERISTICS				
Occupied housing units	12,379	+/-243	12,379	(X)
Lacking complete plumbing facilities	148	+/-104	1.2%	+/-0.8
Lacking complete kitchen facilities	205	+/-143	1.7%	+/-1.2
No telephone service available	198	+/-110	1.6%	+/-0.9

Subject	Juneau city and borough, Alaska			
	Estimate	Margin of Error	Percent	Percent Margin of Error
20.0 to 24.9 percent	135	+/-77	5.5%	+/-3.2
25.0 to 29.9 percent	172	+/-80	7.1%	+/-3.2
30.0 to 34.9 percent	82	+/-40	3.4%	+/-1.5
35.0 percent or more	203	+/-79	8.3%	+/-3.0
Not computed	3	+/-5	(X)	(X)
GROSS RENT				
Occupied units paying rent	4,208	+/-318	4,208	(X)
Less than \$200	41	+/-33	1.0%	+/-0.8
\$200 to \$299	55	+/-52	1.3%	+/-1.2
\$300 to \$499	240	+/-83	5.7%	+/-2.1
\$500 to \$749	421	+/-137	10.0%	+/-3.0
\$750 to \$999	890	+/-173	21.2%	+/-3.9
\$1,000 to \$1,499	1,551	+/-229	37.8%	+/-4.5
\$1,500 or more	970	+/-212	23.1%	+/-4.5
Median (dollars)	1,135	+/-51	(X)	(X)
No rent paid	189	+/-108	(X)	(X)
GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME (GRAP)				
Occupied units paying rent (excluding units where GRAP cannot be computed)	4,175	+/-317	4,175	(X)
Less than 15.0 percent	454	+/-147	10.9%	+/-3.4
15.0 to 19.9 percent	550	+/-145	15.6%	+/-3.4
20.0 to 24.9 percent	872	+/-184	20.9%	+/-3.8
25.0 to 29.9 percent	514	+/-147	12.3%	+/-3.5
30.0 to 34.9 percent	381	+/-123	9.1%	+/-2.9
35.0 percent or more	1,304	+/-238	31.2%	+/-5.3
Not computed	222	+/-115	(X)	(X)

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

The median gross rent excludes no cash renters.

In prior years, the universe included all owner-occupied units with a mortgage. It is now restricted to include only those units where SMO/CAPI is computed, that is, SMO/OC and household income are valid values.

In prior years, the universe included all owner-occupied units without a mortgage. It is now restricted to include only those units where SMO/CAPI is computed, that is, SMO/OC and household income are valid values.

In prior years, the universe included all renter-occupied units. It is now restricted to include only those units where GRAP is computed, that is, gross rent and household income are valid values.

The 2007, 2008, 2009, 2010, and 2011 plumbing data for Puerto Rico will not be shown. Research indicates that the questions on plumbing facilities that were introduced in 2008 in the stateside American Community Survey and the 2008 Puerto Rico Community Survey may not have been appropriate for Puerto Rico.

Median calculations for base table sourcing VAL, MHC, SMO/OC, and TAX should exclude zero values.

While the 2007-2011 American Community Survey (ACS) data generally reflect the December 2009 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic

Subject	Juneau city and borough, Alaska			
	Estimate	Margin of Error	Percent	Percent Margin of Error
<b>OCCUPANTS PER ROOM</b>				
Occupied housing units	12,379	+/-243	12,379	(X)
1.00 or less	11,860	+/-273	95.8%	+/-1.3
1.01 to 1.50	438	+/-151	3.5%	+/-1.2
1.51 or more	81	+/-39	0.7%	+/-0.3
<b>VALUE</b>				
Owner-occupied units	7,982	+/-287	7,982	(X)
Less than \$50,000	430	+/-121	5.4%	+/-1.5
\$50,000 to \$99,999	382	+/-157	4.8%	+/-1.9
\$100,000 to \$149,999	307	+/-83	3.8%	+/-1.0
\$150,000 to \$199,999	455	+/-106	5.7%	+/-1.3
\$200,000 to \$299,999	2,442	+/-266	30.6%	+/-3.1
\$300,000 to \$499,999	3,036	+/-260	38.0%	+/-3.2
\$500,000 to \$999,999	870	+/-159	10.9%	+/-1.9
\$1,000,000 or more	50	+/-35	0.8%	+/-0.4
Median (dollars)	299,100	+/-10,729	(X)	(X)
<b>MORTGAGE STATUS</b>				
Owner-occupied units	7,982	+/-287	7,982	(X)
Housing units with a mortgage	5,546	+/-308	69.5%	+/-3.1
Housing units without a mortgage	2,436	+/-259	30.5%	+/-3.1
<b>SELECTED MONTHLY OWNER COSTS (SMOC)</b>				
Housing units with a mortgage	5,546	+/-308	5,546	(X)
Less than \$300	0	+/-78	0.0%	+/-0.4
\$300 to \$499	13	+/-16	0.2%	+/-0.3
\$500 to \$699	47	+/-37	0.8%	+/-0.7
\$700 to \$999	149	+/-77	2.7%	+/-1.4
\$1,000 to \$1,499	942	+/-193	17.0%	+/-3.4
\$1,500 to \$1,999	1,099	+/-186	19.8%	+/-3.2
\$2,000 or more	3,296	+/-292	59.4%	+/-3.6
Median (dollars)	2,175	+/-61	(X)	(X)
Housing units without a mortgage	2,436	+/-259	2,436	(X)
Less than \$100	8	+/-10	0.2%	+/-0.4
\$100 to \$199	51	+/-43	2.1%	+/-1.8
\$200 to \$299	87	+/-46	3.6%	+/-1.9
\$300 to \$399	123	+/-63	5.0%	+/-2.5
\$400 or more	2,169	+/-253	89.0%	+/-3.7
Median (dollars)	718	+/-47	(X)	(X)
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME (SMOCAP)</b>				
Housing units with a mortgage (excluding units where SMOCAP cannot be computed)	5,546	+/-308	5,546	(X)
Less than 20.0 percent	1,649	+/-216	29.7%	+/-3.8
20.0 to 24.9 percent	1,135	+/-203	20.5%	+/-3.4
25.0 to 29.9 percent	814	+/-181	14.7%	+/-3.1
30.0 to 34.9 percent	616	+/-163	11.1%	+/-2.8
35.0 percent or more	1,392	+/-217	24.0%	+/-3.5
Not computed	0	+/-78	(X)	(X)
Housing unit without a mortgage (excluding units where SMOCAP cannot be computed)	2,433	+/-259	2,433	(X)
Less than 10.0 percent	949	+/-159	39.0%	+/-6.5
10.0 to 14.9 percent	633	+/-167	26.0%	+/-6.2
15.0 to 19.9 percent	259	+/-112	10.6%	+/-4.3

entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2000 data. Boundaries for urban areas have not been updated since Census 2000. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2007-2011 American Community Survey

Explanation of Symbols:

1. An "" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An "" entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An "" entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.



March 12, 2013

Mike Satre, Chairman  
Planning Commission Commissioners  
155 S. Seward St.  
Juneau, AK 99801

RE: CBJ Comprehensive Plan Comments submitted for consideration.

Dear Chairman Satre and Planning Commission Commissioners,

I would like to preface my comments by my appreciation for your individual dedication by volunteering your time and effort toward the service and betterment of Juneau. Successful people have busy lives and families. Our community appreciates your hard work and time spent reviewing planning and zoning issues for our community, making tough decisions impacting our community and striving to make Juneau a better place to live through your actions.

I would like to submit comment on three aspects of the updated draft Comprehensive Plan ("Plan") proposed changes: overall remarks and then specific remarks for Chapter 2 Sustainability and Chapter 6 Energy.

### Overall comments on the Plan

Comprehensive Plans are important documents used by federal and state agencies for regulatory purposes for determining whether developments and initiatives taken by local businesses are in synchronization with local governments. NEPA requirements and project study scopes usually require listing and consideration of local comprehensive plans. Further agencies that provide grants, loans and financing also look to determine whether projects and developments are in alignment with local comprehensive plans.

It is with this understanding that it is important for planning commissioners to gauge the second and third order effects of Comprehensive plans. Comprehensive plans can be used as a tool to enable developments and initiatives as much as they can be used to impede developments and initiatives.

Another point is that the plan rightfully appears to be inclusive and supportive of input from all parties within our community. I have noticed that one local federally recognized tribal entity is mentioned in the Comprehensive Plan, but the other locally recognized federally recognized tribe is not.

My last overall comment is that some chapter revisions contain mere grammatical clarifications and minor updates. Other chapters have wholesale changes that perhaps could have had more public input from affected parties earlier in the process. Our company would have gladly attended and participated in the process earlier if we had known that there would be major changes to the Energy Section. Our previous inquiries indicated that there would be little substantive changes in the comprehensive plan. Upon reading the proposed changes, we felt compelled to offer our input for consideration to the suggested changes in Chapter 6, Energy.

#### Chapter 2 Sustainability Comments.

In November 2011, the CBJ Assembly passed Resolution 2528 Adopting the Climate Action Plan.

Resolution 2528 and all its recommendations, goals and the authority placed to the Juneau Commission on Sustainability (“JCOS”) should be recognized. Resolution 2528 specifically assigns the Juneau Commission on Sustainability among other things, the task of developing the Juneau Energy Plan. It should also be noted that one of the 2013 goals of the JCOS is to begin that process with widespread public input.

#### Chapter 6 Energy Comments.

Chapter 6 proposed language contains some language that is not in alignment with existing resolutions prior to the 2008 Comprehensive Plan or are perhaps not in synchronization with CBJ Resolutions passed after the 2008 Comprehensive Plan.

Specifically Resolution 1882 Calls for CBJ support for the Southeast Intertie without the caveats added to the recent update language regarding transmission lines or facilities.

Resolution 2528 Approved the CBJ Climate Action Plan which specifically authorized the Juneau Commission on Sustainability the task to develop Juneau’s energy plan with input from all interested parties.

Resolution 2632 A Resolution Expressing Assembly Support for the Extension of Electrical Power along the Veterans Memorial Highway is missing in Chapter 6.

Additionally, there is language in the current suggested modifications of Chapter 6 which are not equal to all CBJ energy business participants. I have attached a copy of the Chapter 6 suggested modifications with Juneau Hydropower, Inc.’s suggested rewording to reflect a more balanced and fairer approach when addressing utilities and energy providers.

Page 1 4<sup>th</sup> Paragraph:

The Alaska Electric Light & Power Company (AEL&P) is the Regulatory Commission of Alaska certificated electrical utility provider for Juneau in its specific service area which does not encompass the entire borough; all efforts to plan, manage, or otherwise affect electrical energy production, distribution, or use should therefore involve AEL&P. Another private company, Juneau Hydropower, Inc., is in the process of applying for permits to construct a new hydroelectric project at Sweetheart Creek at the time of this update.

*Comment: The Regulatory Commission of Alaska uses the phrase “certificated” utility. RCA does not use the word “official” utility. Therefore we ask that the original language stay the same or the Planning Commission accepts our suggested corrections to the language until such time as the CBJ Assembly makes any one company of Juneau the “official” of anything.*

Page 1 5<sup>th</sup> Paragraph:

Due to the ultimately limited, although substantial, hydroelectric generation potential in the Juneau area, and associated costs of extending transmission lines to remote sites well suited for hydropower development, users should consider taking steps to conserve available energy and or private industry will need to speed up the pace of developing and constructing new hydropower facilities based on market forces.

*Comment: Conservation should be encouraged, but market forces are what drive consumption and development. The previous modifications are overly subjective, perhaps utility centric and devoid of market influences.*

Page 2 1<sup>st</sup> Paragraph:

The 2011 Juneau Climate Action and Implementation Plan (CAP), adopted by the Assembly under Resolution 2593, describes fossil fuel energy use in Juneau by a variety of sectors, and makes recommendations for conservation and alternative sources that do not have the negative external effects of fossil fuel energy sources; namely, dependence on foreign sources, negative impacts to air quality, and the climate impacts of greenhouse gas emissions from fossil fuel combustion. The CAP, its goals and strategies should be referred to when making energy plans; policy or investment decisions so as to ensure that Juneau’s energy systems reflect the local and global impacts of energy decisions.

*Comment: add CAP goals and strategies*

2<sup>nd</sup> Page 2<sup>nd</sup> Paragraph

## **Energy Planning**

For many reasons, energy production, conservation, and use have come to the forefront of world consciousness in recent times. In Juneau, the avalanche-induced disruptions of the supply of hydroelectric energy to the community in the spring of 2008 and again in 2009 made energy

issues even more visibly relevant to the well being of the community. New energy sources are being discovered and new technologies for energy generation, transmission, and conservation are being developed. Federal and state funding sources are becoming available for renewable and/or efficient energy planning and projects. It would be beneficial to the community for the CBJ government to work with utility provider and energy developers to examine these emerging sources, technologies, and funding sources for potential use in the community and as a revenue source when sold to ratepayers such as cruise ships, Greens Creek Mine and the Coeur Kensington Gold Mine and other future large load users.

*Comment: Add energy developers with utility provider, fix typographical error in Greens Creek, add Coeur Kensington Gold mine and other future large load users.*

### 3<sup>rd</sup> Page Policy 6.1

**POLICY 6.1. TO WORK WITH UTILITY AND ENERGY PROVIDERS TO ANALYZE THE LOCAL ENERGY SYSTEM, POTENTIAL RENEWABLE ENERGY SOURCES, AND EMERGING TECHNOLOGIES; TO ESTABLISH A LONG-TERM ENERGY PLAN; AND TO IMPLEMENT THAT PLAN FOR THE AFFORDABLE AND SUSTAINABLE USE OF ENERGY IN THE COMMUNITY.**

*Comment: Add energy providers who are not defined as “utilities” by federal definition. New language is inclusive, not exclusive.*

### 3<sup>rd</sup> page

6.1 - IA2      Develop and implement a long range energy plan for Juneau that addresses both private-sector, governmental and CBJ government energy conservation and management goals, objectives, and an action plan. The plan as authorized by the Juneau Commission on Sustainability should consider renewable energy sources, emerging technologies, and other plans being developed within the region and the state.

*Comment: Add governmental to include State office buildings and operations which use large amount of energy. Reference JCOS per CBJ Resolution 2593 for the CBJ Energy plan.*

### Implementing Action

6.2 - IA1      Work with the State of Alaska, Southeast Conference, Tlingit Haida Central Council, Douglas Indian Association, AEL&P, Juneau Hydropower, Inc. and other interested entities toward the planning, funding, and development of renewable resources in Juneau and within the region.

*Comment: Add Douglas Indian Association and Juneau Hydropower, Inc to be inclusive rather than exclusive.*

6.2 – IA2 Promote conversion from fossil fuel heating systems to geothermal, heat pump technologies, biomass, or biofuel systems as alternatives

*Comment: electric heating systems are 100% efficient which is much higher than other fuel systems. Also heat pumps are 250-400% efficient dependent on design. The Comprehensive Plan should not discriminate against one heat source to another or violate market forces and consumer preferences.*

6.2-IA3 Promote the development and use of renewable energy sources to help meet the goals, strategies and objectives of the CBJ Climate Action Plan.

*Comment. The detailed goals and strategies of the CAP per CBJ Resolution 2593 should be referred to as an implementing action.*

#### **POLICY 6.3 TO SUPPORT THE DEVELOPMENT OF A SOUTHEAST ALASKA INTERTIE.**

*Comment. The CBJ has an outstanding CBJ Resolution of support on the Southeast Alaska Intertie. This Comprehensive Plan policy should not be changed unless the “Assembly” changes its resolution. CBJ Resolution 1882.*

6.3 - IA1 Work with the State of Alaska, Southeast Conference, Tlingit Haida Central Council, Douglas Indian Association, AEL&P, Juneau Hydropower, Inc. and other interested entities toward the planning, funding, and development of a regional electrical intertie.

*Comment. Add DIA and JHI. Bring language into compliance with CBJ Resolution 1882. Remove highly subjective utility centric language.*

6.3-IA2 Work with the State of Alaska and other interested entities toward the planning, funding and development for the electrification of the Veterans Memorial Highway to Cascade Point to improve highway safety, provide emergency services, reduce electrical costs and carbon emissions and facilitate economic development.

*Comment. Add policy with wording taken from Resolution 2632.*

6.5 - IA5 Continue to incorporate LEED-Juneau principles and standards when designing public structures and facilities with appropriate fuel cost sensitivity analyses over the long term life of the Project.

*Comment: add back in fuel cost sensitivity. Otherwise this policy is subjective and is not supportable from a feasibility analysis viewpoint. Fossil fuel inflation and fuel source volatility cannot be willed away.*

6.6 - IA3 Where practicable and where there are no significant adverse impacts to marine or other ecosystems, encourage the use of tidal, geothermal, wind, heat pump technologies and other renewable energy sources to generate energy for adjacent uses or for transmission to the electrical grid.

*Comment: Add and recognize heat pump technologies deployed and used in the CBJ.*

#### **Implementing Action**

6.8 - IA1 Incorporate energy costs and fuel cost volatility and inflation into scenario analyses conducted as part of long-term energy planning.

*Comment: Fuel cost volatility and inflation impact decision making on energy planning.*

### **Minimize Utility Investment**

The peak rate of energy use (peak load) determines the size of generators, transformers, wires, backup generators, and other equipment needed. The cost of these capital investments has a major impact on rates and can be reduced by leveling out energy use on a daily and seasonal basis. Although these improvements are the responsibility of the utility provider and are in response to market forces, the costs of the improvements are paid by rate payers, including the CBJ government. Accordingly, it is the CBJ government's responsibility to support efforts that encourage non-utility private energy investment that reduce the community's financial investment in the electrical system.

*Comment. Suggested wording changes to reflect and recognize market forces, private investment (as opposed to command economy wordage. Private energy investments preclude utility and governmental investments from making duplicative investments. Private investments keep utility rates lower by using private capital not ratepayer or public based capital to develop wholesale based power that is competitively priced.*

#### **Implementing Action**

6.9 - IA1 Work with electrical utility provider and energy developers to develop programs and educational materials promoting energy conservation.

*Comment: Add energy developers.*

6.15 – IA4 Suggest that the Regulatory Commission of Alaska consider utility providers to charge rate payers for the company's investment in conservation efforts and education on a cost benefit basis.

*Comment: A public financed campaign for conservation may be a prudent conservation effort. Any efforts in order to be effective should be benchmarked on performance with a cost benefit for its effectiveness.*

Sincerely,

Duff W. Mitchell  
VP & Business Manager

CC:  
Ben Lyman, CBJ Sr. Planner

Duff Mitchell's  
Comments are included  
w/draft language below

## CHAPTER 6. ENERGY

The topic of energy is pervasive ~~to in~~ every element of human activity, interaction and comfort. The economic impacts associated with fossil fuel consumption, and the unique potential of the CBJ's Juneau's renewable hydroelectric sites, presents policy makers with an enviable opportunity for guiding future community growth toward renewable energy sources. There is also the need to balance the needs of the consumers with the sustainability of our energy sources.

Access to affordable, secure supplies of energy is necessary for almost every activity of government, business, and private residents. The overall goal of an energy policy should be to assure least cost alternatives to energy sources. Costs could be classified as broadly as actual out of pocket costs to the consumer, impact costs to the city budget or impact costs on our environment. Given the ways in which communities are affected by, and affect the global arena, energy policy should reflect the need to establish a fair degree of independence from uncertain international energy markets, and to ensure responsible contributions of our community to the global human and natural environment. The ultimate goal needs to be creation of an energy system that is sustainable, locally and globally. Energy policies can play a crucial role in the development of a local, regional, and national energy system that can help assure the long-term economic viability of the CBJ Juneau, and the Southeast Alaska region.

Further development of renewable energy sources will be needed to convert energy systems from fossil fuels for both local and regional use. ~~The CBJ Juneau is blessed with~~ fortunate to have significant but not unlimited hydro opportunity as well as tidal and other potential renewable energy sources, all of which should be elements of a comprehensive energy program. Least-cost, or integrated-resource planning, in which investment in energy conservation is weighed against investment in energy purchase, and in which life-cycle costs are included in all decision making, can provide a framework for cost-effective, responsible energy planning and conservation. Working capital must also be equally weighed ~~as it is~~ likewise a scarce resource economically defined. Education is an important element in giving direct assistance to energy users and for maintaining an informed citizenry. As used below, "near-term" means one to five years; and "long-term" means five years or longer.

The Alaska Electric Light & Power Company (AEL&P) is the Regulatory Commission of Alaska certificated official electrical utility provider for Juneau in its specific service area which does not encompass the entire borough; all efforts to plan, manage, or otherwise affect electrical energy production, distribution, or use should must therefore involve AEL&P. Another private company, Juneau Hydropower, Inc., is in the process of applying for permits to construct a new hydroelectric project at Sweetheart Creek at the time of this update.

Due to the ultimately limited, although substantial, hydroelectric generation potential in the Juneau area, and associated the high costs of extending transmission lines to remote sites well suited for hydropower development, users should consider taking will need to take steps to conserve available energy or private industry will need to speed up the pace of will be faced with mounting costs of developing and constructing new hydropower and maintaining increasingly expensive facilities based on market forces.



The 2011 Juneau Climate Action and Implementation Plan (CAP), adopted by the Assembly under Resolution 2593, describes fossil fuel energy use in Juneau by a variety of sectors, and makes recommendations for conservation and alternative sources that do not have the negative external effects of fossil fuel energy sources; namely, dependence on foreign sources, negative impacts to air quality, and the climate impacts of greenhouse gas emissions from fossil fuel combustion. The CAP, its goals and strategies should be referred to when making energy plans, policy or investment decisions so as to ensure that Juneau's energy systems reflect the local and global impacts of energy decisions.

## Energy Planning

For many reasons, energy production, conservation, and use have come to the forefront of world consciousness in recent times. In Juneau, the avalanche-induced disruptions of the supply of hydroelectric energy to the community in the spring of 2008—has and again in 2009 made energy issues even more visibly relevant to the well being of the community. New energy sources are being discovered and new technologies for energy generation, transmission, and conservation are being developed. Federal and state funding sources are becoming available for renewable and/or efficient energy planning and projects. It would be beneficial to the community for the CBJ government to work with utility provider and energy developers to examine these emerging sources, technologies, and funding sources for potential use in the community and as a revenue source when sold to external communities—non-firm ratepayers such as cruise ships, and Greens Creek Mine and the Couer Kensington Gold Mine and other future large load users.

As the simple set of projections shown in Figure X, *Juneau Hydro Supply and Demand*, shows, conversions of heating and transportation energy sources from oil and gas to electric have the potential to raise the community's demand for electricity beyond what is available. In Figure X, the *Demand with Conversions (Projected)* line shows what would happen if all existing and new heating and vehicles were converted to electric systems, using current technologies. The cost of generating additional electricity with diesel would raise the cost of electricity so as to eliminate much of the financial justification for conversion; however, the increased cost of additional energy generated by diesel would be diluted with existing lower-rate hydropower, and could still yield economic ratepayer advantages for conversions. The take-away from this graph is that Juneau's potential hydroelectric supply can easily be outstripped by Juneau's demand for energy, and that conservation of existing supply and reduction of demand will be necessary to avoid reliance on expensive diesel-generated electricity in the future.

Understanding where energy is used in the CBJ community (internal and external uses), its sources, and the financial and social implications of our energy use is fundamental to establishing a sound policy for energy development and use. In order to implement the policies outlined in this chapter it is will be necessary to establish a plan for the future use of energy resources in the CBJ borough. The *Juneau Climate Action and Implementation Plan* of 2011 contains much more detailed analysis of energy use than is included in this plan.

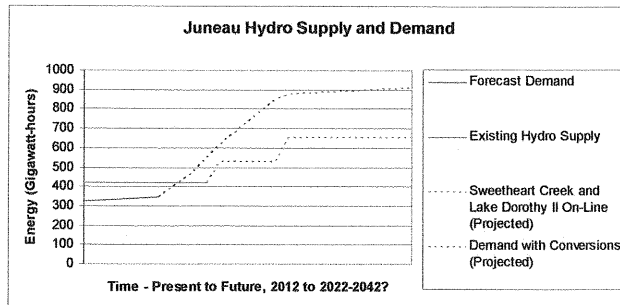


Figure 6.1

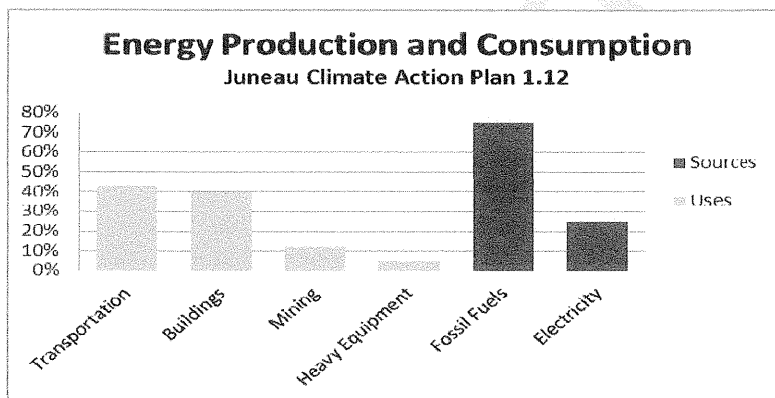


Figure 6.2

**POLICY 6.1. TO WORK WITH UTILITY AND ENERGY PROVIDERS TO ANALYZE THE CBJ LOCAL ENERGY SYSTEM, POTENTIAL RENEWABLE ENERGY SOURCES, AND EMERGING TECHNOLOGIES; TO ESTABLISH A LONG-TERM ENERGY PLAN; AND TO IMPLEMENT THAT PLAN FOR THE AFFORDABLE AND SUSTAINABLE USE OF ENERGY IN THE CBJ COMMUNITY.**

#### Implementing Actions

6.1 - IA1 Analyze Juneau's internal and external energy economies and systems throughout system life-cycles.

6.1 - IA2 Develop and implement a long range energy plan for Juneau that addresses both private-sector, governmental and CBJ government energy conservation and management goals, objectives, and an action plan. The plan as authorized by the Juneau Commission on Sustainability should consider renewable energy sources, emerging technologies, and other plans being developed within the region and the state.

6.1 - IA3 Host research projects that identify energy sources that use renewable resources such as hydro, tidal, solar, wind, and energy from organic waste (e.g., cellulosic ethanol) that can be used by households, businesses, and the public sector.

6.1 - IA4 (i) Develop and examine scenarios for alternative long-term energy plans, including a risk management plan.  
(ii) Based on alternative scenarios, identify courses of action for each scenario.  
(iii) Implement actions that maintain flexible energy strategies that best meet Juneau's future energy needs.

~~6.1 - IA5 Work with the State of Alaska, Southeast Conference, Tlingit Haida Central Council, and other entities in planning for energy resource development and use in the Southeast Alaska Region.~~

6.1 - IA5 Conduct public meetings to explain and develop the community's CBJ longrange energy plan.

6.1 - IA6 Once an energy plan is developed, undertake an immediate reconsideration and rewrite of the policies and actions in this chapter for approval byof the Borough CBJ Assembly.

~~6.1 - IA7 Assign a CBJ staff member to work with the Commission on Sustainability and provide them resources as necessary to ensure that Implementing Actions 6.1 - IA1, 2, and 4 are implemented in the near-term.~~

~~POLICY 6.2 IT IS THE POLICY OF CBJ TO SUPPORT THE DEVELOPMENT OF RENEWABLE ENERGY RESOURCES IN THE CBJJUNEAU AND IN THE SOUTHEAST ALASKA REGION.~~

#### Implementing Action

6.2 - IA1 Work with the State of Alaska, Southeast Conference, Tlingit Haida Central Council, Douglas Indian Association, AEL&P, Juneau Hydropower, Inc. and other interested entities toward the planning, funding, and development of renewable resources in CBJ-Juneau and within the region.

~~6.2 - IA2 Promote conversion from fossil fuel heating systems to geothermal, heat pump technologies, biomass, or biofuel systems as alternativesinstead of to electric heating systems.~~

~~6.2-IA3 Promote the development and use of renewable energy sources to help meet the goals, strategies and objectives of the CBJ Climate Action Plan.~~

~~POLICY 6.3 TO SUPPORT SUPPORT BE OPEN TO AND INVESTIGATE THE DEVELOPMENT OF A SOUTHEAST ALASKA INTERTIE.~~

6.3 - IA1 Work with the State of Alaska, Southeast Conference, Tlingit Haida Central Council, Douglas Indian Association, AEL&P, Juneau Hydropower, Inc. and other interested entities toward the planning, funding, and development of a regional electrical intertie. if such an intertie is determined to be relevant and useful.

6.3-IA2 Work with the State of Alaska and other interested entities toward the planning, funding and development for the electrification of the Veterans Memorial Highway to Cascade Point to improve highway safety, provide emergency services, reduce electrical costs and carbon emissions and facilitate economic development.

### **Support State Capital Functions Through Energy Efficiency**

As Alaska's capital city, it is vital for the ~~CBJ~~Juneau to offer modern transport and communications systems and facilities to Alaskan residents who wish to participate in state legislative affairs. Over the years, the ~~CBJ~~community has invested in such facilities, systems, and infrastructure and will continue to support effective citizen participation in state affairs. As the availability of fossil fuels decreases throughout the world, it will be increasingly important to identify energy-efficient means of assuring cost-effective electronic and physical access to the capital city.

**POLICY 6.4. TO PROVIDE COST-EFFECTIVE AND ENERGY-EFFICIENT FACILITIES, SYSTEMS AND INFRASTRUCTURE THAT STRENGTHENS ~~ITS~~ JUNEAU'S ROLE AS THE STATE CAPITAL.**

#### **Standard Operating Procedure**

6.4 - SOP1 Invest in energy-efficient technologies and equipment that provide affordable electronic and physical access to state legislative, courts and other governmental agencies for Alaskan residents.

6.4 - SOP2 The City-~~CBJ~~ government must weigh the additional costs of public investment up front with the long-term savings over the life of the improvement, and the improvement must at least generate a positive return over its life to be implemented.

### **Energy Efficient CBJ Buildings and Projects**

In addition to keeping costs to ~~CBJ's~~ Juneau taxpayers as low as possible and conserving energy in general, it is the role of the ~~CBJ~~ CBJ government to set an example for businesses and individuals in adopting cost-effective energy saving technologies and operating procedures.

**POLICY 6.5. TO INCORPORATE TECHNOLOGIES AND OPERATING PRACTICES THAT WILL PROMOTE EFFICIENT AND COST EFFECTIVE ENERGY USE INTO ALL OF ITS NEW AND EXISTING BUILDINGS AND ENERGY-USING PROJECTS.**

#### **Standard Operating Procedure**

6.5 - SOP1 Replace inefficient street lighting and lighting in ~~CBJ-owned~~ buildings and facilities with efficient fixtures upon replacement cycle.

#### **Implementing Actions**

6.5 - IA1 Establish and fund a revolving energy conservation investment fund to invest in energy-saving public projects that meet CBJ government return-on-investment criteria.

- 6.5 - IA2 Invest in necessary metering equipment to produce monthly project energy reports.
- 6.5 - IA3 Conduct energy audits and establish energy management goals for CBJ-owned buildings.
- 6.5 - IA4 Develop and implement a system for rewarding CBJ employee initiative and responsibility in good energy management.
- 6.5 - IA5 Continue to incorporate LEED-Juneau, or other similar principles and standards when designing public structures and facilities. The LEED or other standards should be adapted for local climate and materials resources and should include life-cycle cost analyses (including long-term operational costs) with appropriate fuel cost sensitivity analyses over the long term life of the Project.
- 6.5 - IA6 When designing new facilities or major renovation of CBJ-owned facilities, analyze life-cycle costs of energy applications, and use that analysis to guide future development. [see also 6.7 - IA2]
- 6.5 - IA7 Analyze the workings of the CBJ water and wastewater facilities and incorporate energy-saving methods and technologies where appropriate.

### **Maximize Use of Local Energy Resources**

The CBJ's Juneau's fossil fuel supply is subject to disruption due to a variety of reasons: embargoes, price hikes, shipping disputes, or disasters, among others. Use of local energy resources reduces these risks. As the Snettisham avalanches of 2008 showed, however, dependence on exposed, remote transmission lines for delivering electricity to users exposes the electrical system to unforeseen disruption. Most of the money used to purchase fossil fuels leaves the CBJ community. The CBJ Juneau can have a much healthier local economy if we develop and encourage the use of our own energy resources that are adequately protected from disruption by relatively predictable natural disasters such as avalanches.

### **POLICY 6.6. TO MAXIMIZE THE RATIO OF LOCAL, RENEWABLE-SOURCE ENERGY TO IMPORTED FOSSIL-SOURCE ENERGY IN JUNEAU'S INTERNAL ENERGY ECONOMY.**

#### **Standard Operating Procedure**

6.6 - SOP1 Encourage energy conservation to reduce the amount of money leaving the community to pay for fuels.

#### **Implementing Actions**

6.6 - IA1 Seek federal and state funding to convert the CBJ fleet and, particularly, public transit vehicles, to dual-fuel, hybrid, or other fuel technologies with reduced carbon footprints and enhanced sustainability over fossil-fuel burning vehicles.

6.6 - IA2 Where practicable in large industrial operations, encourage co-generation processes to transform by-product heat to electrical energy for use by the operation and adjacent uses or for transmission to a nearby electrical grid.

6.6 - IA3 Where practicable and where there are no significant adverse impacts to marine or other ecosystems, encourage the use of tidal, geothermal, wind, heat pump technologies and other renewable energy sources to generate energy for adjacent uses or for transmission to the electrical grid.

6.6 - IA4 Encourage dual-fuel systems that are cost effective for buildings.

6.6 - IA5 Coordinate with the University of Alaska, other research organizations, and companies to identify potential renewable energy sources to power vehicles, vessels, aircraft, and structures. Analyze both the short-term and long-term costs and environmental impacts of energy production and distribution systems giving preference to dependable, cost-competitive, and renewable sources that do not adversely affect natural resources and wildlife habitat when choosing a source of energy.

6.6 - IA6 Amend the Land Use Code, CBJ 49, to create a new land use category for small-scale energy production facilities, such as solar panels and residentially-scaled wind turbines, so that they are not held to the same permitting requirements as industrial-scale energy production facilities.

### **Maximize Efficient Use of Renewable Energy Resources**

In 1995, about 85 percent of the energy used in the CBJ Juneau was provided by fossil fuels. Conservation and renewable resources could displace much of this fossil fuel and greatly reduce both the dependence on these fuels and the export of capital from the CBJ Juneau and Alaska.

### **POLICY 6.7 TO MAXIMIZE THE EFFICIENT USE OF RENEWABLE ENERGY RESOURCES.**

#### **Implementing Actions**

6.7 - IA1 Coordinate efforts with the University of Alaska and other research organizations and entities to identify potential renewable energy sources to fuel vehicles, vessels, aircraft, structures, and utilities and to heat structures. Analyze both the short-term and long-term costs and environmental impacts of energy production and distribution systems and give preference to dependable, cost-competitive, renewable sources that do not adversely impact affect natural resources and ecosystems when choosing a source of energy.

6.7 - IA2 When designing new facilities or major renovation of CBJ-owned facilities, analyze life-cycle costs of energy applications with consideration of renewable sources given priority. [see also 6.5 - IA6]

### **Full-Cost Analysis**

The very real environmental and social costs, now and in future generations, of relying completely on fossil fuels are not included in the prices we pay paid for fossil fuel-based energy. Wise local and global energy production and use requires these-that external costs to be internalized into energy prices, in order to conserve energy and to encourage its production from renewable, low-impact sources. Additionally, the federal, state, and City-municipal budgets are strained with less-fewer funds trickling

down to the city. Working capital or funds available for investment are therefore a scarce resource not unlike energy. Therefore, careful consideration of impact on the local citizenry must include how redirecting those scarce dollars to renewable energy or conservation may have a very real impact. Because national and state policies, ~~where they exist,~~ have not been implemented to do this, the CBJ government should take the initiative to protect the long-term interests of its residents. The exact dollar value of these costs is ~~always~~ hard to determine, yet they must not be ignored since they ultimately have a major economic impact on the quality of ~~our lives~~ life.

#### **POLICY 6.8 TO INCLUDE THE FULL COSTS (DIRECT AND INDIRECT) OF ENERGY USE IN ITS ECONOMIC ANALYSES.**

##### **Standard Operating Procedure**

6.8 - SOP1 Use quantifiable external and indirect costs in establishing the cost of energy when conducting life-cycle cost analyses of CBJ-owned facilities, projects, and operations.

##### **Implementing Action**

6.8 - IA1 Incorporate energy costs and fuel cost volatility and inflation into scenario analyses conducted as part of long-term energy planning.

#### **Minimize Utility Investment**

The peak rate of energy use (peak load) determines the size of generators, transformers, wires, backup generators, and other equipment needed ~~to provide that peak load~~. The cost of these capital investments has a major ~~effect~~ impact on rates, and can be reduced by leveling out energy use on a daily and seasonal basis. Although these improvements are ultimately the responsibility of the utility provider and are in response to market forces, the costs of the improvements are paid by rate payers, including the CBJ government. Accordingly, it is the CBJ government's responsibility to support efforts that encourage non-utility private energy investment that reduce the community's financial investment in the electrical system.

#### **POLICY 6.9 TO ENCOURAGE ELECTRICAL ENERGY USE PATTERNS THAT MINIMIZE UTILITY INVESTMENT.**

##### **Implementing Action**

6.9 - IA1 Work with electrical utility provider and energy developers to develop programs and educational materials promoting energy conservation.

~~POLICY 6.10~~

~~POLICY 6.11~~

#### **Energy Efficient Buildings**

The CBJ's Juneau's maritime climate and comparatively cold winters mean that keeping living spaces warm ~~must needlessly consume~~ excessively consume energy if efficient heating, insulating and

ventilating practices, materials, equipment and design are not used in the construction of new buildings and in remodeling existing buildings.

## **POLICY 6.12 TO ENCOURAGE COST EFFECTIVE ENERGY EFFICIENT BUILDING AND REMODELING PRACTICES.**

### **Implementing Actions**

6.12 - IA1 Encourage the installation of energy-efficient heating systems in new construction.

6.12 - IA2 Encourage participation in current residential energy efficient mortgage programs and other energy efficiency programs for both new and existing homes and businesses. Encourage favorable lending rate programs for energy efficient multifamily housing and commercial construction or renovation.

6.12 - IA3 Establish energy efficient standards for new and existing buildings and adopt them into local Building Code.

6.12 - IA4 Encourage the conversion of existing heating systems from fossil fuel to renewable sources of energy.

6.12 - IA5 Consider enacting water conservation ordinances that ~~would~~ lead to significant energy savings ~~for the CBJ government, and in turn to utility customers,~~ in pumping water and in treating wastewater.

6.12 - IA6 Encourage consideration of "life cycle" costs, the use of energy efficient construction techniques, materials, and equipment that are consistent with acceptable health and safety standards and that are appropriate for local climatic conditions, while keeping project costs low.

6.12 - IA7 Consider providing incentives supporting 6.12 - IA6.

### **Industrial Energy Use**

The design and operation of industrial developments can be managed to reduce, transfer, or minimize ~~waste of energy waste~~ and to maximize use of renewable energy. Mining projects tend to be energy intensive and short-lived (tens of years). Within the ~~CBJ Juneau~~ they mining projects could have a great effect on the ~~CBJ community's~~ energy economy and be greatly affected by the CBJ energy policy. For industries with large amounts of fuel material by-products (e.g., wood waste), or with high temperature energy by-products (e.g., steam), the generation of electrical energy for sale to the utility grid can be useful and increase overall community energy efficiency. Similarly, there are industries that produce large amounts of heat as a by-product, e.g., over one megawatt thermal, and that could use this energy resource to displace fossil fuel energy in nearby structures for space heating or other low temperature processes. The CBJ government could play a role in making such projects viable, saving considerable energy dollars for use in the community, rather than for export to pay fossil fuel energy costs.



POLICY 6.13 TO ENCOURAGE INDUSTRIAL AND COMMERCIAL USERS TO BE AS EFFICIENT AS POSSIBLE IN THEIR USE OF ENERGY, TO USE RENEWABLE ENERGY SOURCES, AND TO MAKE ENERGY BY-PRODUCTS AVAILABLE FOR USE ELSEWHERE IN THE COMMUNITY.

#### Implementing Actions

6.13 - IA1 Encourage energy intensive projects to follow adopted CBJ energy policy.

6.13 - IA2 Assist those proposing energy intensive projects, ~~such as mining~~, in understanding, at the earliest point in their projects, the adopted CBJ energy policy.

6.13 - IA3 Require the use of renewable and environmentally-sensitive energy sources for energy intensive projects, where cost effective.

6.13 - IA4 Encourage the development of co-generated electrical energy at avoided cost.

6.13 - IA5 Encourage appropriate land use patterns of development close to potential sources of surplus by-product heat.

#### ~~POLICY 6.14~~

### Public Education on Energy

Individual consumer decisions and behavior are significant in governing the extent of required energy development. Nationally, there is a trend toward using rate incentives to further community energy goals. The effect of these incentives is maximized by advising consumers on how to take advantage of them. Only a well-educated citizenry is able to make well-informed decisions.

POLICY 6.15 TO INCREASE PUBLIC UNDERSTANDING OF HOW INDIVIDUAL AND CBJ GOVERNMENT ENERGY DECISIONS AFFECT INDIVIDUAL CONSUMER COSTS, AS WELL AS THE LIVABILITY AND SUSTAINABILITY OF THE COMMUNITY.

#### Implementing Actions

6.15 - IA1 The CBJ Commission on Sustainability and the Juneau School District should work together to improve energy education in K-12 public school educational curriculum within the Juneau Douglas School District, including:

- energy as a fundamental human need;
- historical perspective of energy;
- understanding our local energy system, and how it fits within the regional, state, federal, and world systems;
- helping students become smart consumers;
- informing future voters on the need to establish and maintain an energy system that is high quality, secure, equitable, and sustainable; and
- a multi-disciplinary approach to energy.

6.15 - IA2 Encourage the private sector, with financial assistance from the CBJ government and support from the Commission on Sustainability, to conduct a public education program to explain the benefits of conservation of energy.

6.15 - IA3 Conduct public meetings to explain and discuss the Energy Chapter of this Plan.

6.15 - IA4 ~~Suggest~~Advocate that the Regulatory Commission of Alaska ~~consider~~allow utility providers to charge rate payers for the company's investment in conservation efforts and education on a cost benefit basis.

## Benjamin Lyman

---

**From:** Ruth Danner <ruthdannerofjuneau@gmail.com>  
**Sent:** Friday, March 29, 2013 6:31 AM  
**To:** Hal Hart; Benjamin Lyman  
**Subject:** Draft Comp Plan Utilities chapter: April/May 2013 issue of PlanWireless  
**Attachments:** April & May 13.pdf

Ben / Hal

Please make the attached newsletter part of the record for public comments related to the Draft Comp Plan Chapter on Utilities.

Thanks,

*Ruth*

Ruth Danner  
1028 Arctic Circle  
Juneau, Alaska 99801  
(907) 789-3435 (h)  
(907) 796-1533 (w)

----- Forwarded message -----

**From:** Kreines & Kreines, Inc. <[mail@planwireless.com](mailto:mail@planwireless.com)>  
**Date:** Thu, Mar 28, 2013 at 7:49 PM  
**Subject:** April/May 2013 issue of PlanWireless  
**To:** [mail@planwireless.com](mailto:mail@planwireless.com)

Dear Subscriber and Reader

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Web site - [planwireless.com](http://planwireless.com)

## Benjamin Lyman

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**From:** Brenwynne Jenkins on behalf of PC\_Comments  
**Sent:** Friday, March 15, 2013 9:33 AM  
**To:** Benjamin Lyman  
**Subject:** FW: Comprehensive Plan Comments

fyi

### Brenwynne Jenkins

Administrative Officer  
Community Development Department  
City & Borough of Juneau  
PH: (907) 586-0736  
Email: [brenwynne\\_jenkins@ci.juneau.ak.us](mailto:brenwynne_jenkins@ci.juneau.ak.us)



Please consider the environment before printing this email.

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**From:** Jonathan Lange  
**Sent:** Tuesday, March 12, 2013 11:46 AM  
**To:** PC\_Comments  
**Subject:** FW: Comprehensive Plan Comments

Please find below comments from Jane Lindsey with the Historic Resources Advisory Committee on Ch. 16 of the Comprehensive Plan.  
Thank you!

Sincerely,

Jonathan Lange, Planner I  
Community Development Department  
City & Borough of Juneau, Alaska  
Ph: (907) 586-0218  
Fax: (907) 586-3365  
Email: [jonathan\\_lange@ci.juneau.ak.us](mailto:jonathan_lange@ci.juneau.ak.us)

---

**From:** Jane Lindsey  
**Sent:** Tuesday, March 12, 2013 11:07 AM  
**To:** Jonathan Lange  
**Cc:** Gary Gillette  
**Subject:** RE: Comprehensive Plan Comments

Hi Jonathan,  
Thanks for coming to the meeting last Wednesday.

My comments to Chapter 16 Historic and Cultural Resources:

Maybe I am missing something, but shouldn't we mention the HRAC and its importance as a resource tool in Chapter 16?  
Something like:

**Support the Historic Resource Advisory Committee as the CBJs advisory committee on preservation, planning, and education of Juneau's historic resources.**

This can also support the need for language about historic preservation education?

Also, I agree with the comment that 16.2-IA1 should be updated to language that refers to supporting our current design district guidelines.

Thanks,  
Jane

---

**From:** Jonathan Lange  
**Sent:** Monday, March 11, 2013 11:10 AM  
**To:** Gary Gillette; [harrisa@alaska.net](mailto:harrisa@alaska.net); connie munro ([lcmunro@gci.net](mailto:lcmunro@gci.net)); 'mgilliam@fs.fed.us'; Elizabeth Eskelin; 'gerald@northwindarch.com'; 'smcmahon@rocketmail.com'; Jane Lindsey; 'rico.worl@sealaska.com'  
**Cc:** Laura Boyce ([lauraboyce@hotmail.com](mailto:lauraboyce@hotmail.com))  
**Subject:** Comprehensive Plan Comments

Good morning HRAC members:

At last week's meeting I was requested to give you an update and schedule for the City and Borough of Juneau's Comprehensive Plan. Here is a link to the complete comprehensive plan on the cities website at <http://www.juneau.org/cddftp/DRAFTCompPlanReview.php>

Below are some bullet points about the plan update:

- The Comprehensive Plan is the Community's overarching aspirational document.
- Chapter 16 is titled: Historic and Cultural Resources and is 3 pages long. There are minor changes in language used in this chapter and there are three minor additions to chapter 16. Historic and Cultural Resources. The additions are 16.2-SOP7, 16.2-IA2, and 16.5-IA3 (found in orange).
- We have not received comments from the public on this section, but have received comments on Chapter 1 Introduction and Background of the plan, in the Community History section. Please see attached document for the comment we received.
- The intent of the 2 year update was to update minor portions of the plan that were falling out of date due to changes.
- There was some scope creep and the Planning Commission did extensive modifications to the housing and economic development chapters.
- This is a strike-through draft and is somewhat cumbersome to read.
- The Planning Commission is currently accepting comments on the 2 year update draft as follows:
  - a. The public can comment this week at the March 12 Planning Commission meeting at 7pm at City Hall Chambers, with either verbal and or written comments.
  - b. The Planning Commission will receive written comments until Monday March 19<sup>th</sup>.  
**Comments can be sent to myself, or to Benjamin Lyman at [Benjamin\\_Lyman@ci.juneau.ak.us](mailto:Benjamin_Lyman@ci.juneau.ak.us) or to the Planning Commission at [PC\\_comments@ci.juneau.ak.us](mailto:PC_comments@ci.juneau.ak.us)**
  - c. They will deliberate on the March 19th in their committee of the whole....and may extend deliberation two additional meetings.
    - The Planning Commission makes a recommendation to the Assembly.
    - The Assembly will look at the 2 year update once the Planning Commission has formulated their final recommendation and sent to the Assembly.

Let me know if you have any questions.

Sincerely,

Jonathan Lange, Planner I  
Community Development Department  
City & Borough of Juneau, Alaska  
Ph: (907) 586-0218  
Fax: (907) 586-3365  
Email: [jonathan\\_lange@ci.juneau.ak.us](mailto:jonathan_lange@ci.juneau.ak.us)

## You've Heard of a Faux Tree? Here's a Fake Cell Site

This article is about Stingray (aka Triggerfish, AmberJack, KingFish and a catch-and-trap device) developed by the U.S. Department of Justice since 2002 for the purpose of locating suspected criminals. If the government knows the cell phone number of a suspected criminal, the Stingray acts like a cell tower, or more correctly, a fake base station. The Stingray can then use the cell phone number to locate a suspected criminal or places where the criminal had been while in possession of the phone with that number.

The Stingray was used to collect evidence against David Daniel Rigmaiden for the crime of identity theft. Rigmaiden sued the U.S. government in order to quash the evidence found by using Stingray because the government did not obtain a search warrant prior to using Stingray.

The judge (David Campbell) in the lawsuit will hold a hearing in the near future. Judge Campbell, of the U.S. District Court for Arizona has asked the Department of Justice for details about Stingray to be submitted. It may turn out that the Court rules that a search warrant was needed to use Stingray in this situation. The Judge has asked for more information about how Stingray works and what kind of information was collected about Rigmaiden.

But the U.S. Government is reluctant to reveal how its fake base station works, even though the Stingray was necessary to bring the case against Rigmaiden, accusing him of identity theft.

According to a website (engadget.com):

*Prosecutors are so reluctant, in fact, that they may be willing to sacrifice their case against Rigmaiden in order to safeguard the stingray's secrecy.*

## How Does Stingray Work?

According to an article in the *Wall Street Journal*:

*A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It lets the stingray operator "ping," or send a signal to, a phone and locate it as long as it is powered on ...*

But the inner workings of Stingray, and the information it collects, remain mysterious.

In another case, the U.S. government requested a limited warrant from federal court called a "pen register"<sup>1</sup> before U.S. Magistrate Judge Owsley from the U.S. District Court for the Southern District of Texas. The Judge denied the use of Stingray. According to Judge Owsley:

*Here, the application seeks an order authoring the use of this equipment as a pen register as opposed to seeking a warrant. The government has not provided any support that the pen register statutes apply to stingray equipment. Based on the statutory language and the limited case law analyzing this issue, a pen register does not apply to this type of electronic surveillance.*

## Conclusion

The Department of Justice may or may not understand how Stingray works. But if the U.S. Government produced the information, or produced an expert who could explain Stingray, the Government may qualify for a pen register rather than a warrant. Just explain the technology, they are told by judges, over and over again.

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<sup>1</sup> A pen register is a device that can record numbers called from a particular telephone line.

In another story in this issue, the City of Cranston, Rhode Island produced an expert who knew exactly how cellular technology works. But the Court found that the expert (and RF engineer) never worked for the wireless company in question (T-Mobile) and was therefore rejected as a qualified expert.

Do you detect a trend? As long as bewildering technology is used as a judicial argument by those who own the technology, those without the technology are at a loss.❖

## **The Burden of Proof No Longer Rests With the Wireless Industry**

PlanWireless has been chronicling local regulation of cell sites for 17 years and we have seen some awesome (a word few people used back then) trends. With the passage of the Telecommunications Act in 1996, local governments were told by most legal observers:

*The burden of proof is on the wireless carrier to get an application approved.*

This is no longer the case. In *PlanWireless'* opinion, it's now up to the local governments to prove that the proposed "tower" should go somewhere else.

## **Implementing a Zoning Ordinance Does Not Cause a Prohibition of Service**

Anyone who surfs the web will find minutes for some public board or a news article where it is stated:<sup>2</sup>

*At issue is the 1996 Federal Telecommunications Act, which a Planning Board Member said precludes a tower from using zoning to prevent a cell tower from being erected if there is a demonstrated coverage need.*

But this is not true, because the Telecommunications Act reinforces the locality's zoning authority. There are always alternatives to the applicant's proposal that will not violate a zoning ordinance and it is up to the applicant to find the alternative, not the local government.

---

<sup>2</sup> This is an actual quote.

Yet, the myth of the burden of proof upon local government continues. Consider this statement by the Chairperson of a Zoning Board:<sup>3</sup>

*Despite some concerns about aesthetics and noise, the chairperson said the board's hands were tied as federal law mandated it cannot prohibit a tower from being built where there is inadequate coverage.*

How do these incorrect statements occur?

## **The Wireless Industry Has Been Clever in Bringing Lawsuits Against Local Governments**

Carriers, and sometimes tower companies, have shifted the legal argument from planning and zoning (which has been preserved by the Telecommunications Act) to technology. Once courts accept that technology is the yardstick by which a denial is acceptable or not, local governments have been put on the defensive.

It's true that cities and counties can hire experts in technology, but these experts fail in the face of carrier-hired radio frequency engineers familiar with each carrier's proprietary technology. Consider the case decided by the U.S. Court of Appeals, First Circuit on November 26, 2008.

In *Omnipoint Holdings v. City of Cranston, et al*, Cranston, Rhode Island hired a non-industry RF engineer. Omnipoint (T-Mobile) asserted that the Cranston-hired expert did not know T-Mobile's proprietary treatment of wireless technology. The Appeals Court disqualified the RF engineer's testimony because the engineer had never worked for T-Mobile.

So, now the roles are reversed. It is the local government that bears the burden of proof because the wireless industry uses technology as an argument, not planning and zoning. And, more often than not, it is the wireless carrier plaintiff who argues:

*The local government has denied our use of technology. It's up to the local government to prove our claims are wrong.*

This is not what Congress had in mind in 1996 when the Telecommunications Act was passed, or when President Clinton signed the act into law in 1996.

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<sup>3</sup> This is also an actual quote.



## But Wait: Technology May Actually Destroy the Wireless Industry's Best Argument

As *PlanWireless* discussed in the December/January 2013 issue, coverage is not always the holy grail for the industry. Carriers are now installing small cells within coverage areas in order to accommodate increases in bandwidth.

The result is that closing a "significant gap" in coverage is no longer the reason that the carrier must deploy. Instead, the carrier tries to achieve capacity enhancements within areas that already have "coverage."

It works like this:

- Before 2012, carriers used a single frequency band to determine the signal range, within which they had "coverage."
- Now carriers are using multiple frequencies to achieve connectivity and most of those signals have far less range than the original signals.
- These "small cells" within the original larger cells do not close significant gaps, they merely enable the combination of large cells and small cells to accommodate user demanded necessities such as video and "apps."

But the carrier has already submitted radio frequency propagation plots to the local government that demonstrate coverage for the original cell site. Small cell sites within that larger area will not close any significant gaps, they merely allow more capacity at the original cell site.

So, the carriers will argue that they need the added capacity in order to deliver their enhanced signal. But the enhanced signal is not for voice and the original purpose of personal wireless services...it's for using the Internet.

More capacity is not something the carriers need to enhance voice from a stranded 9-1-1 caller or to enable a remote user to reach the Public Switched Telephone Network. The argument that users with smartphones are unable to watch TV on their wireless device is not going to constitute a prohibition.

## Soon Carriers Will No Longer be Able to Sue Local Governments Under Section 332 of the Telecommunications Act

Commercial Mobile Radio Services (CMRS)<sup>4</sup> in the U.S. are racing toward an all-IP future where information once carried almost exclusively over telephone lines (Public Switched Telephone Network or PSTN) is now relying heavily on Internet Protocol.

According to John Brodtkin writing for the web site *ArsTechnica.com* in January 2013:

*Two months ago, AT&T petitioned the Federal Communications Commission to plan for the retirement of traditional phone networks and transition to what AT&T sees as an inevitability: the all-IP telco.*

*AT&T had been discussing the transition internally, spurred on by the FCC's own suggestion that the Public Switched Telephone Network might be ripe for death somewhere around 2018.*

The FCC has formed the Technology Transitions Policy Task force. Outgoing Chair of the FCC, Julius Genachowski, noted on forming the Task Force on December 12, 2012:

*Technological transitions don't change the basic mission of the FCC. But technology changes can drive changes in markets and competition. And many of the Commission's existing rules draw technology-based distinctions.*

That means wireless no longer relies on the interconnection with the PSTN.

But a close reading of the Telecommunications Act of 1996 will unearth the following:

(C) DEFINITIONS- For purposes of this paragraph--

(i) the term 'personal wireless services' means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

(d) DEFINITIONS.--For purposes of this section--

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<sup>4</sup> CMRS are also called Commercial Mobile Services.

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*(1) the term 'commercial mobile service' means any mobile service (as defined in section 3) that is provided for profit and makes interconnected service available (A) to the public or (B) to such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the Commission;*

*(2) the term 'interconnected service' means service that is interconnected with the public switched network (as such terms are defined by regulation by the Commission) or service for which a request for interconnection is pending pursuant to subsection (c)(1)(B);*

So, by putting the definitions together, Section 332 exists to regulate personal wireless services and personal wireless services must be interconnected to the PSTN.

All-IP networks already exist for some carriers, e.g., Clearwire. *PlanWireless* reported on the case of *Clear Wireless LLC v Village of Lynbrook (NY)* in the June/July 2012 issue. In the *Lynbrook* case, the New York District Court found that Clearwire was an "info service" and not a "telecommunications service" and therefore not entitled to the protections of the Telecommunications Act of 1996.

In the future, when all CMRSs use all-IP networks, they won't be able use Section 332 anymore. It's either that future, or Congress will need to revise the

Telecommunications Act to include all-IP networks, and that would be a can of worms.

### Conclusion

Technology is changing. The wireless industry has the most powerful lobby before the FCC. But who's watching out for the local governments?

Has anyone in local government ever read the Telecommunications Act of 1996? Maybe in 1996. ❖

### Here's an Antidote to Technological Disadvantage

Cities tired of having the "technology card" used to overwhelm their decision-making on proposed cell sites, might follow the example of Milton, Georgia, an upscale suburb of Atlanta. This City required that American Tower file a 452-page application for a 140-foot tower: that's more than three pages per foot!

By the time decision time came around, American Tower (actually fronting for AT&T Mobility) withdrew its application. The 452 pages uncovered so many reasons for denial, including construction in the flood plain, that AT&T killed the proposal.

Cities searching for a way to make an applicant bear the burden of proof would do well to use a long form application. Wasn't it John Milton who wrote *Paradise Lost*? ❖

CBJ Staff and Planning Commission,  
To be consistent with Title 49. Land Use Code, the 2013 Comprehensive Plan needs to require a master plan process for development in the boroughs designated New Growth Areas. It does this in all except one place:

Page 15:

New Growth Areas: These are areas in remote areas that are suitable and available for future urban/suburbanscale development when specifically approved by the CBJ government in accordance with the procedures and criteria set out in this Plan and in the CBJ Land Use Code. These areas are viewed as new, self-contained towns or villages within remote areas of the borough. They would have a distinct identity and would plan for adequate commercial, residential, health care, educational facilities and public utilities and services. Certain small-scale, non-residential uses, such as port facilities, resource-related industrial development (e.g., a lumber mill or fish processing plant), or recreational or resort uses, may be appropriate, on an interim basis, on portions of areas designated by this Plan as a New Growth Area prior to New Growth Area plan approval.

RECOMMENDATION: Do not add the final phrase "prior to New Growth Area plan approval". It is inconsistent with Title 49, and other references to the process for land use decisions in New Growth Areas in other parts of the 2013 update of the Comprehensive Plan.

I will not be able to attend the May 14 Planning Commission meeting.

I extend my appreciation to staff and commissioners for the many hours of work and meetings it takes to approve regular reviews/updates of the Comprehensive Plan.  
Your work is important. Thank you.

Nancy Waterman

Presented by:  
Introduced:  
Drafted by: Staff

**ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2013-XX (DRAFT)**

**An Ordinance Adopting the 2013 Update to the  
Comprehensive Plan of the City and Borough of Juneau.**

WHEREAS, the Comprehensive Plan of the City and Borough of Juneau, 2013 Update, is a long-range blueprint designed to guide the growth, development, and conservation of valued resources within our community over the next 20 years, to the year 2033; and

WHEREAS, the 2013 Update to the Comprehensive Plan is the product of more than two years of review and work by the Planning Commission and City and Borough staff with input from interested agencies, stakeholders, and persons from diverse sectors of the community; and

WHEREAS, at its regular meeting on \_\_\_\_\_, 2013 the Planning Commission recommended that the Draft 2013 Comprehensive Plan, with the amendments recommended by the Commission at that meeting, be forwarded to the Assembly for its review and adoption; and

WHEREAS, the Assembly Committee of the Whole has reviewed the Draft 2013 Comprehensive Plan, and recommends that it be presented to the Assembly for adoption.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the City and Borough Code.

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**Section 2. Amendment of Article.** CBJ 49.05.200 Comprehensive plan, is amended as follows:

ARTICLE II.

COMPREHENSIVE PLAN

**49.05.200 Comprehensive plan.**

(a) The City and Borough comprehensive plan is designed to lessen congestion in the streets; secure safety from fire, panic and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate adequate and cost-effective provision for transportation, water, sewerage, schools, parks and other public requirements.

(b) The comprehensive plan adopted by the assembly by ordinance contains the policies that guide and direct public and private land use activities in the City and Borough. The implementation of such policies includes the adoption of ordinances in this title. Where there is a conflict between the comprehensive plan and any ordinance adopted under or pursuant to this title, such ordinance shall take precedence over the comprehensive plan.

- (1) Plan adopted. There is adopted as the comprehensive plan of the City and Borough of Juneau, that publication titled The Comprehensive Plan of the City and Borough of Juneau, Alaska, 2013 Update, including the following additions:
  - (A) The Juneau Coastal Management Plan, dated 1986, as amended through December 1990;
  - (B) The Downtown Historic District Development Plan, dated December 1981; provided that the proposed district boundaries shall be those established by the assembly under a separate ordinance;
  - (C) The Long Range Waterfront Plan for the City and Borough of Juneau, dated January 22, 2004, as amended;
  - (D) The Last Chance Basin Land Management Plan, dated May 1978, updated November 1994;

- (E) Watershed Control Program - Salmon Creek Source, dated April 1992;
- (F) Watershed Control and Wellhead Protection Program - Gold Creek Source, dated November 1994; and
- (G) Chapter 6 and Plate 1 of the West Douglas Conceptual Plan, dated May 1997;
- (H) Juneau Non-Motorized Transportation Plan, dated November 2009;
- (I) 2010 Downtown Parking Management Plan; and
- (J) Chapter 5 of the Willoughby District Land Use Plan, dated March 2012.

(2) Changes, corrections, and interpretations. *Reserved.*

(c) No rights created. The goals and policies set forth in the comprehensive plan are aspirational in nature, and are not intended to commit the City and Borough to a particular action, schedule, or methodology. Neither the comprehensive plan nor the technical appendix adopted under this section nor the amendment of either creates any right in any person to a zone change nor to any permit or other authority to make a particular use of land; neither do they constitute a regulation of land nor a reservation or dedication of privately owned land for public purpose.

**Section 3. Amendment of Section.** CBJ 49.10.170 Duties, is amended as follows:

**49.10.170 - Duties.**

(a) Comprehensive plan review. The commission shall undertake a general review of the comprehensive plan two years after the adoption of the most recent update, and shall recommend appropriate amendments to the assembly. Proposed map changes shall be reviewed on a neighborhood or community basis as directed by the planning commission.

(b) Review of the capital improvements program. Upon adequate notice which shall be provided by the director, the commission shall review annually the capital improvements program of the City and Borough and submit its recommendations to the assembly.

(c) City and borough land acquisitions, disposals and projects. The commission shall review and make recommendations to the assembly on land

acquisitions and disposals as prescribed by title 53, or capital improvement project by any City and Borough agency. The report and recommendation of the commission shall be based upon the provisions of this title, the comprehensive plan, and the capital improvements program.

(d) Development code amendments. The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezonings, indicating compliance with the provisions of this title and the comprehensive plan.

(e) Land use actions.

(1) All plats approved by the platting board prior to adoption of Serial No. 87-49 are ratified, notwithstanding the use of the commission seal or resolution.

(2) The commission shall hear and decide all major development permit applications, density bonus requests and appeals of decisions made by the director.

**Section 4. Amendment of Section.** CBJ 49.70.310 Habitat, is amended as follows:

**49.70.310 Habitat.**

(a) Development in the following areas is prohibited:

...

(4) Within 50 feet of the banks of streams designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update; and

(5) Within 50 feet of lakeshores designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update.

(b) In addition to the above requirements there shall be no disturbance in the following areas:

(1) Within 25 feet of stream designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2013 Update; and

(2) Within 25 feet of lakeshores designated in Appendix B of the comprehensive plan of the City of Borough of Juneau, 2013 Update.

**Section 5. Amendment of Section.** CBJ 49.70.320 Watersheds, is amended as follows:

**49.70.320 Watersheds.**

Development in watersheds designated in the comprehensive plan of the City and Borough of Juneau, 2013 Update, shall not cause degradation of the existing water quality or ground water recharge capabilities of the site according to standards established by the state department of environmental conservation. Upon request of the director, the developer shall provide evidence of compliance by certification of a professional engineer.

**Section 6. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2013.

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Merrill Sanford, Mayor

Attest:

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Laurie J. Sica, Clerk