

**ASSEMBLY STANDING COMMITTEE  
LANDS, HOUSING & ECONOMIC DEVELOPMENT COMMITTEE  
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

April 11, 2022, 5:00 PM.

Assembly Chambers & Zoom Webinar

5:00pm: Assembly Lands Housing and Economic Development Committee

<https://juneau.zoom.us/j/94215342992> or 1-253-215-8782 Webinar ID: 942 1534 2992

**AGENDA**

**I. CALL TO ORDER**

**II. LAND ACKNOWLEDGEMENT**

**III. ROLL CALL**

**IV. APPROVAL OF AGENDA**

**V. APPROVAL OF MINUTES**

**A. March 07, 2022 Draft Minutes**

**VI. AGENDA TOPICS**

**A. Parise Request to Purchase City Property**

**B. Ordinance 2022-23 An Ordinance Temporarily Closing Auke Lake for the 2022 IRONMAN Alaska Triathlon and Providing a Penalty.**

Juneau is set to host the first IRONMAN Alaska triathlon on August 7, 2022, with 1,500 race participants. The race's swimming course consists of a 2.4-mile loop around Auke Lake, which is normally open to motorized vessels each day during the summer and other public uses. This ordinance would temporarily close Auke Lake to motorized vessels and other public uses on August 6-7, 2022 to minimize user conflicts related to the race.

**C. 35 Mile ORV Riding Park**

**D. Draft Travel Juneau MOA for Lands, Housing, and Economic Development Committee Review**

**VII.COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS**

**VIIISTANDING COMMITTEE TOPIC**

**A. 2022 LHED Committee Goals**

## **IX. NEXT MEETING DATE - May 2, 2022**

## **X. ADJOURNMENT**

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: [city.clerk@juneau.org](mailto:city.clerk@juneau.org)

**ASSEMBLY STANDING COMMITTEE MINUTES  
LANDS HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE  
THE CITY AND BOROUGH OF JUNEAU, ALASKA  
March 7, 2022, 5:00 P.M.**

**I. CALL TO ORDER**

**II. LAND ACKNOWLEDGEMENT**

**III. ROLL CALL** - Chair Hale called the meeting to order at 5:00 pm.

**Members Present:** Chair Michelle Hale, Greg Smith, Wade Bryson, Wáahlaal Gíidaak

**Members Absent:** none

**Liaisons Present:** Chris Mertl, Parks and Recreation; Lacey Derr, Docks and Harbors

**Liaisons Absent:** Mandy Cole, Planning Commission

**Staff Present:** Dan Bleidorn, Lands Manager; Roxie Duckworth, Lands & Resources Specialist; Alix Pierce, Tourism Manager

**IV. APPROVAL OF AGENDA** – The agenda was approved as presented.

**V. APPROVAL OF MINUTES** – February 14, 2022 Draft Minutes were approved as presented.

**VI. PUBLIC PARTICIPATION** - No public participation.

**VII. AGENDA TOPICS**

**A. BRH Purchase of Family Practice Building**

Mr. Bleidorn discussed this topic. Chair Hales asked what a non-conforming review is. Mr. Bleidorn replied that it is when there's an existing use on a property that may not conform with the adopted plans and to evaluate that use to see how it could change over time. This is zoned D10 residential and has a medical building on the property.

Ms. Pierce further explained that a nonconforming situation review is done for a property that doesn't conform to the zoning in the area that it currently exists because the zoning was different at the time that the property was established, or there was no zoning. A non-conforming situation review is an investigation where CDD staff review the zoning at the property, the historical zoning, and then designate the property not conforming for height setbacks and lot width, those types of dimensional standards. Use can also be non-conforming if the use is no longer allowed in the zoning district.

Mr. Bryson asked if CDD could say that this building is not going to be allowed for medical uses if it's sold. If the review doesn't come back non-conforming because it's a medical building in a residential zone, is that one of the outcomes of the non-conforming review. Mr. Bleidorn replied that the existing building can continue to be used as a medical building, but if we wanted to build another building of equal size adjacent to it and use that for medical there might be some issues there with the D10 zoning. This is why we're doing the review process, because that will tease out all the information to tell us what could be used. Part of the Bartlett Board's interest in this property was the fact that there's a large chunk that remains undeveloped and that could theoretically be used in the future. If that changes or if there's issues there, then we can go back to the building owners and reevaluate the price as well.

Chair Hale asked about that the way that motion is worded. Does Bartlett actually have the funds to fund the purchase and sales agreement and the inspection. Mr. Bleidorn confirmed they do and Bartlett has the funds already appropriated for evaluating the building. For the purchase at the \$2.4 million, they will need to have funds appropriated for that. Chair Hale asked if the request is that we pass a motion of support to appropriate funds for the acquisition of the building, but we're not at that stage yet so if we pass that motion, then what will be the request of the Assembly at this point. Mr. Bleidorn replied that if that motion passes the Assembly would see this as an ordinance and that ordinance would appropriate the funds, but there may be another opportunity, depending on the outcome of some of our research

and inspections, to take this back to the Hospital Board. If I understand the question correctly, a motion tonight would be the next step, and the Assembly would adopt of an appropriations ordinance.

Mr. Bryson asked about this property being located away from the Bartlett complex, did the Hospital Board discuss any of the unintended consequences of having property so disconnected from the hospital, it seems like every other piece of property that the hospital's tried to buy has been right in the immediate proximity. Was there any discussion about this being six miles away. Hospital Board chair Mr. Solomon-Gross replied that the board did discuss Bartlett owning property away from the campus. The current campus is getting very tight and they are expanding. At this time, Bartlett would just be the landlord to the tenets in this building. We would acquire the property and continue to support the physicians already in that property. If in the future Bartlett decides to expand off of campus, and it is approved, Bartlett would be able to put some services in the Family Practice Center. Today, the short-term goal is to acquire the property and to support the physicians that are out there.

Wáahlaal Gíidaak commented that she was still getting a grasp of the funding pools and how the hospital works in relation to the Assembly and CBJ, and asked if this was passed all the way through the Assembly process. Would the \$2.4 come out of CBJ coffers or is there coffers with the hospital that that those funds would be administered from. Mr. Solomon-Gross replied that the money from these enterprise boards is all CBJ's money, it's all the people's money. As an enterprise board Bartlett has its own fund balance. In this particular case, the money would come from Bartlett's fund balance so the Assembly would appropriate us to be able to spend that money out of Bartlett's fund balance, this is still CBJ's money, but would come out of Bartlett's fund balance not the CBJ fund balance.

Mr. Mertl commented that in his years a liaison he has not seen the City appropriate funds for purchasing land and it seems kind of an odd vehicle. There is a flow chart that shows how we move through disposal and purchase the properties. And perhaps just as me being a liaison, I personally feel a little uncomfortable not knowing the overall budget and the requirements the City goes through whether we're necessarily the right vehicle or venue for saying yes or no to this. I think anything that we can do to improve the hospital is wonderful, but I'm just a little curious to why this is coming to Lands, this isn't a typical request we've seen previously. Mr. Bleidorn replied that the memo discusses property acquisitions and that there's not very many opportunities where the City acquires property through this section of code. A lot of times the property we acquire is either parkland where it's a donation, or some type of less than fair market value, but for property acquisitions, sometimes when a property becomes available, you need to move quickly. If we have the money appropriated in our budget it doesn't necessarily need to go to the Assembly for an appropriations ordinance, as according to city code we determine fair market value and not exceed that if the money is appropriated, or is in the budget, the City Manager has authority to acquire city property. Since this money isn't appropriated, we need to do and appropriations ordinance. That's why we're here, to inform the committee so the Assembly has some background prior to that appropriations ordinance coming through.

Chair Hale commented that the BRH Assembly Joint Task Force has reviewed this and they support it going through the full assembly process and wanted to make that comment clear to this committee.

**Mr. Bryson moved that staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support to appropriate funds for the acquisition of 10301 Glacier Hwy to the full Assembly. Motion passed, no objections.**

#### **B. Amendment to 2019 CBJ/CLIAA Settlement Agreement**

Ms. Pierce discussed this topic. The MOA was signed in 2019 between CBJ and Cruise Line International Association (CLIA) was the result of the litigation over marine passenger fees that CBJ and CLIA spent

about four years in court on. We are currently working on the first of a series of MOAs with CLIA regarding less scary and legal issues, mostly related to management of the visitor industry and implementing some of the Visitor Industry Task Force recommendations. In order to execute the MOA that we have ready to go with CLIA, we need to amend the settlement agreement to allow us to spend money on the Capital Civic Center project, or Centennial Hall, up to 10 million in passenger fees over five years. We wanted to put it in front of an assembly committee because it wasn't assembly action to draft the settlement agreement MOA and to ensure that we were following process. There is a suggested motion in the packet, accepting and supporting the proposed Amendment One to allow us to spend marine passenger fees on Centennial Hall, and as a result of that, you will see a MOA with CBJ and CLIA forthcoming that agrees to some of the Visitor Industry Task Force recommendations.

Wáahlaal Gíidaak asked if the motion is enough and if we don't need full assembly approval. Ms. Pierce replied that was a point of discussion between the manager's office and Law, but if it is determined that the full assembly needs to see this MOA then they will.

Mr. Smith asked about the terms used in the MOA, at one point it's the Juneau Centennial Center and another place it's the Centennial Hall expansion project, also known as the Centennial Civic Center. Maybe some flexibility in the language is good, I just wasn't quite sure if there was a need for that to be streamlined or if this just allows us to do anything at Centennial Hall. Ms. Pierce replied that was the intent and by supporting this MOA, the Law department could clean up or clarify the language. The intent is to allow CBJ to spend money at Centennial Hall in whatever iteration of that project is agreed upon with CLIA. The differentiation in language is how it has been referred to in other documents. If this committee supports and moves this motion forward there could be clean up and further clarification.

Mr. Bryson commented that he was confident that the Lands department could read the small minor changes of the MOA and get this work done. As discussed many times, we're pretty bogged down and loaded with the workloads, this is a pretty straightforward example of giving an answer and actually get work done to help move this project forward. We can hold it off to the whole assembly, and then it will be another segment at the COW that will be on another fully packed agenda. We've been talking about reducing our workload, so when we have opportunities like this, where the answers are in front of us, we can get the work done, otherwise this exact same presentation and same information is going to go to the assembly, and this agenda item will get a moot point because we're not doing anything with it. We have an opportunity where we can actually make something happen.

Mr. Bryson moved to make the motion. Mr. Smith made a brief objection for just a purpose of statement. At some point, it might be helpful for us to get a sense of what the plans are for the marine passenger fees for five years out. This may be a question for Mr. Watt, so we have an understanding of where we're planning on expanding these funds. Mr. Smith removed his objection.

Chair Hale objected just for purposes of a comment. She appreciated Mr. Bryson's comments, and added that she will include this item on her assembly report when reporting to the full assembly so they will know what's happening and what we did in this committee.

**Motion passed that the committee accepts and supports the proposed Amendment 1 to the 2019 MOA between CBJ and CLIA. No objections.**

### **C. Visitor Industry Task Force Implementation Update**

Ms. Pierce discussed this topic. The Visitor Industry Task Force was established with a mayor's charging document in 2019. It met for about six months and received around 200 public comments and the final report was delivered to the Assembly in April, 2020. The task force was charged with four major

questions, one very large open ended question that led to a lot of recommendations of varying detail and complexity around management of the visitor industry. The second question was whether to update the long range waterfront plan in a comprehensive way and whether we should, or could, legally replace limits on or restrictions on the numbers of visitors and whether or not to collect public opinion surveys. The COW directed the manager to create an implementation plan for the visitor industry in January, 2021 and that's what's before this committee. It's a status update for the things slated for the committee up through this year to show where we're at and what we're working on.

The first recommendation was to establish a central tourism management function, which is now Ms. Pierce. The tourism management functional diagram shows all the different city departments, the different agencies, the different nonprofits, and the organizations that touch tourism management in Juneau. These include operations and maintenance, infrastructure planning, scheduling, product development, public relations, permitting, enforcement, monitoring, and reporting. It is not my job to do all of these things, but it is my job to keep track of all of them, coordinate some, and manage others. As I work, my way into that in my new position, we're working to systematically implement the recommendations of the task force, working with various partners, everybody from CLIA to other city departments, to the state, the forest service, Travel Juneau, AEL&P, and the list goes on and on under public relations. It's really a multifunctional, complicated, and messy collaborative issue and these recommendations are the first step in a long and incremental approach to being a proactive community in terms of tourism management. Some of the immediate steps that we're taking are the settlement agreement amendment that you just approved and accepted, following that we will sign an MOA with CLIA on some of the issues or recommendations listed. That MOA will be the first of several, it's certainly some of the lower hanging fruit, we agree in the MOA as long as it stays in the same format to commit to working together on some of the tougher issues around scheduling, five ship limits, etc. We are also working on dock electrification planning.

To Mr. Smith's question or statement in the last item, Ms. Pierce would be happy to talk to this group about some of the long term initiatives around passenger fees, or to the full assembly or Finance Committee, whoever makes the most sense. The big items are dock electrification, the Sea Walk and the Civic Center. There are also operational costs that we typically expend passenger fees on and then every year smaller projects that require passenger fee funding. This year, the bulk of the bigger money is going towards the dock electrification planning, at least as proposed in the form of a transformer that allows us to power multiple docks at a time and some planning money for design of an electrified dock.

We didn't have the opportunity to weigh in on the 2022 schedule in the way that we would have liked because of timing, but have made some smaller changes to the 2022 schedule. For example, one of the recommendations is to put our power configured ships at electrified docks and moving one ship, which is shore power configured, swapping it with another ship so that it's at the Franklin Dock which is electrified throughout the season, except when there's a Princess ship there with a preferential agreement to plug in there. We are continuing to work on small improvements with the VHF recommendations, such as additional pedestrian stanchions downtown and vehicle turning movements with the installation of the Peratrovich Plaza. If a new dock is constructed that would also change some of the vehicle turning movements and mitigate some of the congestion issues that are recommended. The next item is support permitting, the VITF makes a recommendation on whether to allow a dock at the support with a "yes got" answer. They issued eight criteria under which they would like to see a dock developed or under which they thought a dock should be allowed to develop. The long range waterfront plan amendment that the Assembly will have a public hearing on next week incorporates those criteria. Many of the VITF recommendations were made with the assumption that there will be an additional dock over the next few years. If a dock is not constructed, for any reason, from the lack of

approval at some level of the process, to NCL not constructing something, these recommendations would need to be revisited, reformulated to capture the intent of the VITF's recommendations related to the five ship limit and congestion in a situation where we continue with anchoring and lightning.

A larger context, we have a group called Port Community Alaska, where we're working with our regional partners to identify common goals, discuss fees and schedules, and how we all do everything. We've also been talking about environmental initiatives. We've also been talking with the port of Seattle, Portland, and Vancouver and they're very interested in those discussions and wanting to participate, they are home ports and their capacity determines the region's capacity. As far as long term capacity they're important partners and we're excited to have those relationships now. I don't think it's possible to plan for what we want to see this industry look like in Juneau over the next 10, 20, or 50 years, without considering the rest of the region, because we are part of a regional network. As we figure out goals a little bit better, I'm hoping that we can move towards a long range planning model and figure out where we want to go as a region, and what we want to look like as a destination. With CLIA, we talked about Canada finally opening and are allowing cruise ships with testing measures. We will continue with MOAs but also develop that relationship so that it's a mutually respectful function based on operation and negotiation.

We have money for an additional survey for 2022, I would like to keep doing surveys, community outreach on a variety of different levels and then also developing a coordinated tourism management approach, not just regionally, but also locally. This kind of concept needs multiple stakeholders and regional coordination in order to be successful.

Chair Hale asked if Ms. Pierce is planning in the near future if she is bringing this presentation to the COW or is the presentation going to stop here. Ms. Pierce replied that she would love to bring this presentation to the COW and it's, especially as we move forward with MOAs, I think that might be an appropriate venue to also give a VITF updates. The reason why I'm here tonight with this committee is because we were doing the settlement agreement amendment and I thought that it was timely to also give an update on the Visitor Industry Task Force recommendation because they're linked.

**VIII. COMMITTEE MEMBER/LIAISON COMMENTS AND QUESTIONS - None**

**IX. STANDING COMMITTEE TOPIC**

**A. 2022 LHED Committee Goals**

Mr. Bleidorn gave a quick update. In the packet are the Assembly goals from our meeting in December, and the Chair and I went through and highlighted some things that we feel like this committee could tackle and work on throughout the year. This is just the first time we've had them in the meeting. I think our goal is to be to update the notes column in the table every time we have something that we work on, you'll see that as part of the packet from the notes for the next year. As we have things moving along we're going to update the notes so you'll see those changes over time.

Chair Hale asked that when Mr. Bleidorn does update those items in the notes column, if he could put the date and then leave that note with the date in the column until the next update. That would be very helpful, so we know what's going on.

Mr. Smith commented that at some point we were getting some updates on housing and would like to continue to maintain updates on housing and the Housing Action Plan.

**X. NEXT MEETING DATE – April 11, 2022**

**XI. ADJOURNMENT - Chair Hale adjourned the meeting at 5:47 PM.**

# MEMORANDUM

## CITY/BOROUGH OF JUNEAU

Lands and Resources Office  
155 S. Seward St., Juneau, Alaska 99801  
Dan.Bleidorn@juneau.org  
(907) 586-5252

**TO:** Michelle Hale, Chair of the Assembly Lands Housing and Economic Development Committee

**FROM:** Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*

**SUBJECT:** Parise Request to Purchase City Property

**DATE:** April 8, 2022

The Lands and Resources Division received an application to purchase City Property from James Parise, the owner of 12005 Glacier Highway who recently purchased the property in its current condition. The City property is managed by the Parks Department, and the 2016 Land Management Plan states that this property is to be retained for public access to the shoreline and as a stream corridor. The property is 0.14 acres with road frontage on Glacier Highway and was granted to the City by the State in 1982. The City has ownership of many similar properties that provide neighborhood access to the shoreline throughout the Borough all of which are designated as "retain". One thing that makes this

property unique is that prior to CBJ ownership the parcel was undeveloped ROW. When the CBJ received ownership, it was not as ROW, but as a land parcel.



In 2021, the City received a request from PEAK Construction for an easement across this property. Parks staff recommended denial of the easement to the Parks and Recreation Advisory Committee (PRAC) stating

that this is not in the best interest for the public and is not consistent with the Parks & Rec Master Plan. The PRAC requested that City staff work with the applicant and bring forward a more definitive proposal rather than accept staff's recommendation of denial. Parks, CDD, Lands, and the City Attorney determined that an easement was problematic



for following the Land Use Code, and that a disposal and lot consolidation would be more conforming with Code. As a condition of the sale, the City can plat a public access and utility easement from Glacier Highway to the shoreline in order to retain public access, thus complying with the Land Management Plan.

The new application was reviewed by the PRAC on April 5, 2022, and they passed a motion, 3 to 2, recommending against the disposal of this property. City code states, "the proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals." If the LHEDC determines to continue to evaluate this property for disposal or easement it may be beneficial to have the CDD weigh in on the proposal to insure that the proposed direction conforms to the Land Use Code.

**Staff request that the Lands, Housing and Economic Development Committee forward this to CDD to review the disposal/easement application prior to the LHED providing direction on if to proceed.**

Attachments:

1. James and Kelly Parise RE Easement Request through ROW
2. Parise Application
3. City Code 53.09.260 Negotiated sales, leases, and exchanges
4. Ordinance 87-76am An Ordinance Preserving Certain Municipal Land for the Juneau Open Space and Park System.
5. Minutes from the 06-01-21 PRAC meeting

To: Parks & Recreation Advisory Committee

From: James and Kelly Parise  
12005 Glacier Hwy, Juneau, AK 99801

Date: June 1, 2021

RE: Easement Request through ROW

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My wife and I, through PEAK Construction applied for a permanent easement across an existing Right of Way to construct a driveway to our property adjacent to the ROW. We purchased the home in January and hired PEAK construction to complete a major renovation of the current home including the entire interior/exterior of the structure. One major improvement we would like to complete is a driveway/parking pad on our property to alleviate street parking and give us access to our house that is not safely available currently. We have an existing street level “garage” on stilts that is unsafe to park in and dilapidated. With the addition of the new retaining wall installed by the Alaska DOT in 2016, pulling out of the existing parking structure (the wooden ramp where we currently park) is hazardous because the line sight for us and oncoming traffic is compromised and unsafe. Also, when we park on the existing small wooden ramp, the car blocks the sidewalk to pedestrians and forces them into the oncoming traffic that is also subject to the limited and unsafe sight line along Glacier Hwy.

The Parks Department has recommended that our application be denied. We respectfully disagree with their recommendation and will address each of their concerns below (The highlights are Parks & Rec’s):

**Policy 7.2** *To preserve and protect fish and wildlife habitat, scenic corridors, and public access to the water, as well as water-dependent uses in planning for use of coastal areas.*

- The current ROW is steep, dangerous terrain with very limited access to the beach. The driveway, as designed will improve access by leveling the steep entrance to the land. The driveway will be built to preserve and protect the scenic corridor and public access.

**Policy 7.3** *To protect riparian habitat, including stream corridors and lake shorelines, from adverse effects of development and to provide a higher level of protection for non-urban shorelines in public ownership.*

- The driveway, as designed, will not adversely affect any of the above.

*Implementing Action 9: The CBJ government should designate publicly owned shoreline areas along the roaded areas of the borough for public access recreation.*

- The driveway only improves access to the shoreline

**Policy 9.1** *To provide quality dispersed outdoor recreational opportunities and to acquire and develop sufficient local parks and recreational facilities in locations convenient to all areas of the CBJ.*

*Implementing Action 7: Identify traditional and high quality waterfront access areas, recreational anchorages and beaches, beach trail opportunities, boat launch areas, and waterfront park sites. Coordinate with the CBJ Docks and Harbors, Lands & Resources, CDD, and State of Alaska to assure that public access to water is provided.*

- I'm not sure what the definition of "high quality waterfront access area" is but I don't think this ROW would currently fall under that category. It is steep, dangerous terrain that is essentially inaccessible. The driveway will provide greater access because it will level and improve entrance to the land from Glacier Hwy. Public access will only improve with the proposed driveway.
- There are currently two other access points within 300 yards of the ROW, both with parking and better access to the beach. The ROW in question does not have any parking and is much steeper and unsafe than the other two ROWs. By installing a driveway on the ROW, we will improve access to the public.

**Policy 9.3** *To preserve as public natural areas those publicly owned lands and shoreline areas that possess important recreational, scenic, fish and wildlife, and other environmental qualities, or are subject to natural hazards.*

*Standard Operating Procedure 1: Designate public areas and sites ... for permanent public access and use. Work toward acquiring privately owned land through dedication, donation, or purchase.*

- Since the AK DOT installed the retaining wall along our property and half-way through the ROW, it could be argued that the natural area has not been preserved. The remaining access to the ROW from Glacier Hwy is steep and dangerous terrain, which will be made more accessible through the driveway.

**Policy 17.2** *To hold certain lands in the public trust, and to dispose of certain lands for private use when disposal serves the public interest.*

*Standard Operating Procedure 4: Base decisions regarding disposal of CBJ-owned lands on demonstrated market demand and evidence that disposal will be in the public interest and,*

*particularly, for projects that would provide affordable housing or that would create jobs that pay a living wage.*

**Development Guideline 1:** *To the greatest extent practicable, retain shoreline and riparian lands in public ownership. However, where disposal of such lands is deemed by the Assembly to be appropriate, ensure the provision of public access to the shoreline and water including provision of adequate trail head or boat launch areas, and retention of a public access easement along beaches*

- The CBJ will not be disposing of the land, only granting permanent easement. CBJ will still retain the land and I believe will serve in the public interest by improving access to the ROW over the driveway by leveling the steep and dangerous terrain.

The following are the concerns of the Parks & Recs department and I will address each below:

### **PROPOSED EASEMENT**

The applicant states that they are remodeling a home located at 12005 Glacier Hwy., next door to the CBJ Beach Access parcel. The permanent easement across CBJ property is requested “to get material and equipment closer to the site than the existing circumstance allows.” The proposed easement totals approximately 1,175 square feet, and would occupy more than 20% of the CBJ parcel. A permanent driveway would be constructed within the easement, which would include all of the CBJ parcel’s frontage on Glacier Hwy. The home currently has a detached garage that provides direct access to Glacier Hwy.

The application further states that “ADOT/CBJ constructed a retaining wall that runs the length of the property line in front of 12005 Glacier Hwy.” This is incorrect: CBJ was not involved in the construction of this retaining wall, which was built by the Alaska Department of Transportation & Public Facilities as part of the Glacier Highway Reconstruction Project (Fritz Cove Rd. to Seaview Ave.). Neither the retaining wall nor the highway encroach on 12005 Glacier Hwy. While the property has a detached garage providing direct access to Glacier Hwy., it has never had a driveway. The DOT&PF project did not alter access to the property.

During the construction project, DOT&PF paid the owners of 12005 Glacier Hwy. \$2,350 for a temporary construction easement. Right-of-Way staff confirmed that the final grade of the highway required a new ramp to access the detached garage. According to DOT&PF, the state designed a ramp and provided an additional cash payment to the homeowners for construction.

- Technically, the proposed driveway takes is less than 20% of the CBJ parcel, not more as stated above.
- The permanent easement is requested to install a permanent driveway to the property, not to “get materials and equipment closer to the site...”. We are completely renovating the current house on the property and one major improvement is safe, off-street parking for us, our children and our guests.
- While we do have a detached “garage” with access to Glacier Hwy via a wooden ramp built on stilts, it is unusable as a parking garage. The pilings and support beams hold the garage approximately 30ft off the ground and do not appear able to support a vehicle. The structure is old and dilapidated. We currently park on the wooden ramp but only half of the vehicle fits while the other half blocks the sidewalk along Glacier Hwy.

- Pulling out of onto Glacier Hwy from the wooden ramp can be dangerous to us and oncoming traffic because the newly installed AK DOT retaining wall can make it difficult to see oncoming traffic, pedestrians and cyclists. No one has used the home as a primary residence since the retaining wall was built so the hazardous line of sight was much less of a factor than it is for my family.
- It's true that technically the retaining wall does not encroach on our property (there is a ROW between the wall and our property), in reality, the wall spans the length of our property and half-way through the CBJ ROW.

### **DISCUSSION & RECOMMENDATION**

This property was preserved by the Assembly in 1985 from all other uses in order to provide permanent public access to the shoreline of Auke Bay. Ordinance 85-76am allows "incidental uses" of park lands, including easements; however, the proposed driveway is not incidental to the public's use of the property. The sole purpose of the easement is to provide access to private property to facilitate a remodeling project.

- It is not correct that the sole purpose of the easement is to provide access to facilitate a remodeling project. The sole purpose is to provide safe, off-street parking for us, our children and our guests.

The CBJ Comprehensive Plan requires that disposals of land held in the public trust (i.e. parks) be in the public interest. Granting a permanent easement across public land to remodel a private home does not meet this test. The public would not benefit from this easement and, in fact, it is likely that public access would be restricted or impeded if the easement is granted.

- Again, this easement is not to remodel a private home. It is to provide safe, off-street parking for us, our children and our guests.
- It is incorrect to say it would restrict or impede public access to the already inaccessible ROW. In fact, the driveway would improve access by leveling the steep and dangerous terrain.

Ensuring public access to the shoreline is the essential purpose for which this property was added to the Juneau Open Space and Park System by the Assembly in 1985. Even a non-exclusive easement allowing public access would be very difficult due to the small size of the parcel and steep terrain. The applicant has not demonstrated how public access to the shoreline would be maintained considering that the proposed easement and driveway would occupy more than 20% of the CBJ parcel and all of its road frontage.

- Technically, the proposed driveway takes is less than 20% of the CBJ parcel, not more as stated above.
- By having a permanent easement, the CBJ is assured improved access to the beach because in order to have access to our home, we have to maintain the driveway. We will have to plow in the winter and maintain during the summer. This only improved access to the public.

Disposing of this property by granting a permanent easement is not consistent with the CBJ Comprehensive Plan. It is the explicit policy of the CBJ to prioritize the acquisition and retention of properties that provide public access to the shoreline. The Comprehensive Plan does not support disposing of these properties by sale, lease, easement, or any other manner.

While other Beach Access parcels exist in Auke Bay, they were all preserved by the Assembly in order to provide the public with convenient access to the shoreline. While many Beach Access parcels (including this one) have yet to be fully developed with formal trails, they are still extraordinarily valuable as the community develops additional land for residential or commercial use.

Based on the information provided by the applicant, the Parks & Recreation Department recommends that this application be denied because it is not consistent with adopted plans and would not serve the public's interest.

- The ROW does not currently serve the public's interest because it is not convenient (no parking) or accessible. While the driveway will not solve the parking problem, it will allow better access to the parcel, which is in the public's interest.
- Kelly and I are 20yr residents of Juneau and have raised our four children in the same house since moving to town. We are blessed and excited to be able to purchase and renovate the house at 12005 Glacier Hwy. It will be our new home that we plan to live in for the next 20 years. We chose this house for the location and the Auke Bay revitalization plan that the CBJ has set forth. The "new" house will be a vast improvement over the old one and can be seen as evidence that Auke Bay is being revitalized and people actually believe in the plan. I believe that granting this easement is in the spirit of this revitalization plan and will improve access to the beach over the steep and dangerous terrain that currently exists.
- We request that you approve our request for permanent easement over the CBJ ROW and have included supporting documentation to this packet.

# Applicant Information

Business / Individual \*

James E. Parise

Address \*

P.O. Box 211268

Street Address

Auke Bay

City

Alaska

State / Province / Region

99821

ZIP / Postal Code

Phone \*

(907) 209-4975

Email

parisejim@gmail.com

☐ Add Another Business/Individual

# CBJ Land Information

The [CBJ Assessor's Database](#) will provide information regarding site address and legal description. The [CBJ Parcel Viewer](#) tool can provide necessary maps needed to complete this application.

Site Address \*

Parcel ID No: 4B2801020070 adjacent to 12005 Glacier Highway

Legal Description \*

USS 2909 FS ROW



## Provide Brief Description of Your Proposal \*

The applicant owns the adjacent parcel, 12005 Glacier Highway, and wants to purchase the subject parcel in order to develop a new parking and access features for the residence. The applicant previously initiated a process to lease an access easement on the same property but has been advised by the CDD Director that purchasing the property is a better option to meet all parties' needs and requirements. Current vehicular access to 12005 is unsafe and impractical. The applicant is willing to provide a public access easement back to the CBJ to enable pedestrian recreation access from Glacier Highway to the city-owned beach area below the target parcel.

## Provide a Map of CBJ Land you wish to Purchase \*

mapPDF.pdf  

## Have you mailed the \$500.00 filing fee? \*

☒ Yes

☐ Not Yet

Applications can only be processed when the \$500 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:

*The City and Borough of Juneau*

*Attn: Lands and Resources Division*

*155 S. Seward St.*

*Juneau, AK 99081*

## Additional Comments for CBJ Staff to Consider

Murray Walsh, of Walsh Planning & Development Services is assisting the applicant in preparing this application and in following the process after submission. Walsh can be reached at 907-723-8444 and at murray@acsalaska.net

## Upload Supporting Documents (optional)

Drop files here

SELECT FILES

Accepted file types: pdf, doc, docx, Max. file size: 50 MB.

12005-Glacier-Hwy-Grading-Plan-5-sheets-2021.pdf  

12005-Glacier-hwy-grading-plan-Site-Plan\_REV2.pdf  

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

## Legal Representative of Business / Individual \*

Murray

First

Walsh

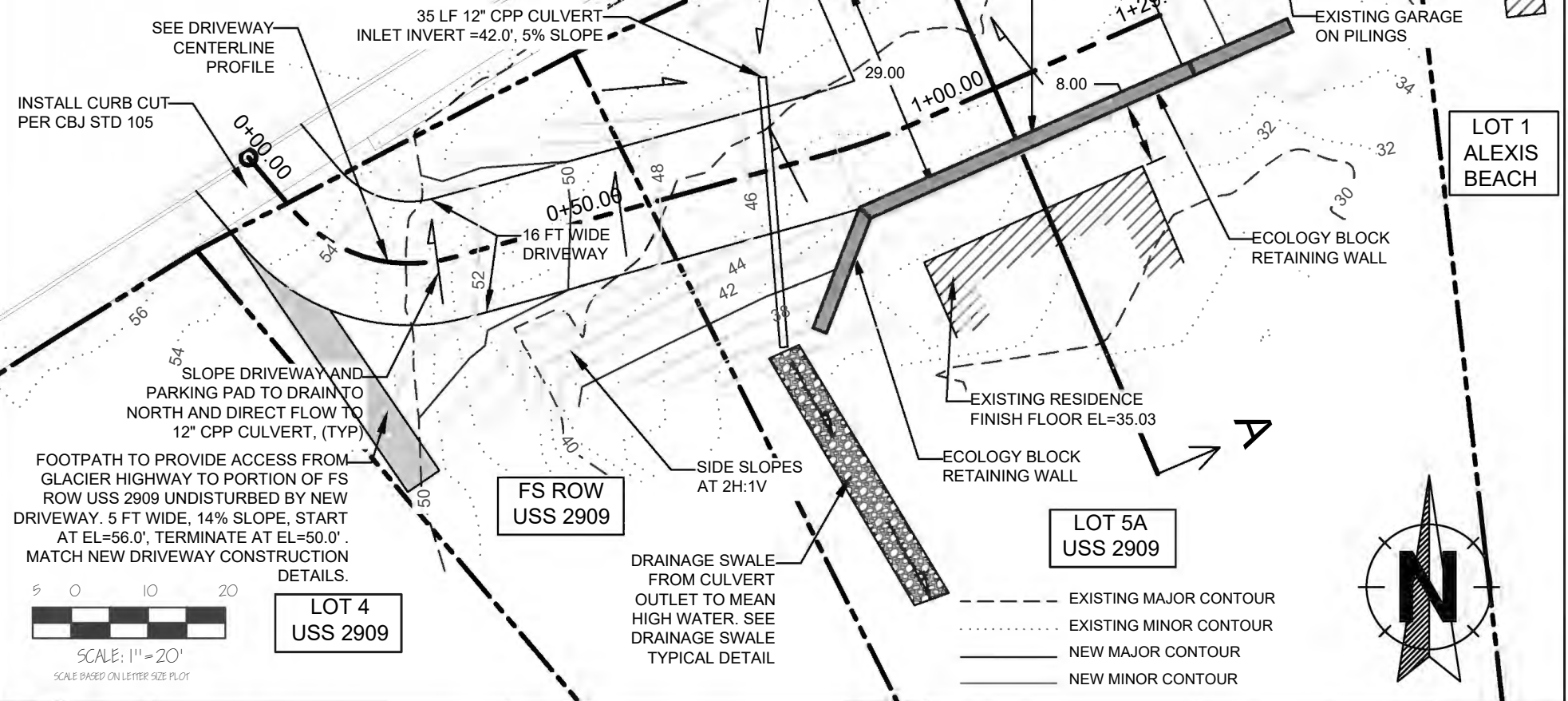
Last



**NOTES:**

- 1) ALL DEVELOPMENT ACTIVITIES SHALL COMPLY WITH CBJ MANUAL OF STORMWATER BEST MANAGEMENT PRACTICES - AUGUST 2010
- 2) APPROXIMATELY 700 CY OF ROCKFILL ARE TO BE IMPORTED TO SITE FOR USE AS BUILDING PAD ROCKFILL, ASSUMING LESS THAN 12 INCHES OF REJECTED OVERBURDEN.
- 3) ELECTRICAL UTILITIES NOT SHOWN, CONTRACTOR SHALL CALL 907-586-1333 FOR EXISTING UTILITY LOCATES PRIOR TO STARTING ANY WORK WITHIN THE PUBLIC ROW/.
- 4) ALL DISTURBED GROUND SHALL BE STABILIZED WITH TOPSOIL AND SEEDING PER CBJ STDS 2709 & 2710 AT THE CONCLUSION OF PROJECT
- 5) WATER AND SEWER SERVICES NOT LOCATED PRIOR TO SITE SURVEY AND ARE NOT SHOWN ON THIS GRADING PLAN. DO NOT DISTURB EXISTING WATER AND SEWER SERVICE TO EXISTING RESIDENCE, CALL CBJ AT 907-780-6808 FOR UTILITY LOCATES PRIOR TO BEGINNING SITE WORK.

**GLACIER HIGHWAY**



Gabriel Hayden, P.E.  
hayden@katabaticeng.com  
(503) 866-5579

Grading Plan

Lot 5 A, USS 2909  
12005 Glacier Highway  
Juneau, AK 99801

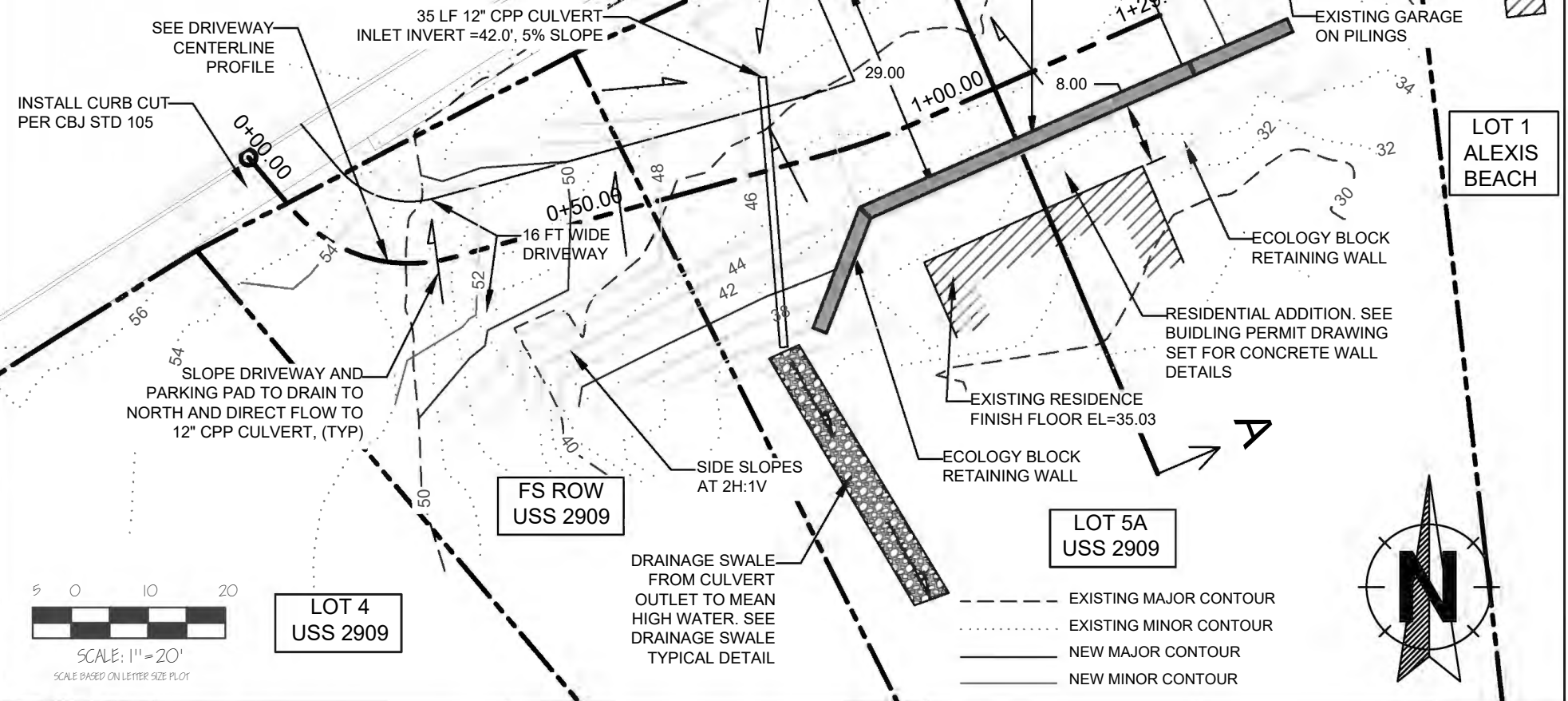
Site Plan

DRAWN:  
6/25/2021  
SHEET #  
1/5

**NOTES:**

- 1) ALL DEVELOPMENT ACTIVITIES SHALL COMPLY WITH CBJ MANUAL OF STORMWATER BEST MANAGEMENT PRACTICES - AUGUST 2010
- 2) APPROXIMATELY 700 CY OF ROCKFILL ARE TO BE IMPORTED TO SITE FOR USE AS BUILDING PAD ROCKFILL, ASSUMING LESS THAN 12 INCHES OF REJECTED OVERBURDEN.
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**GLACIER HIGHWAY**



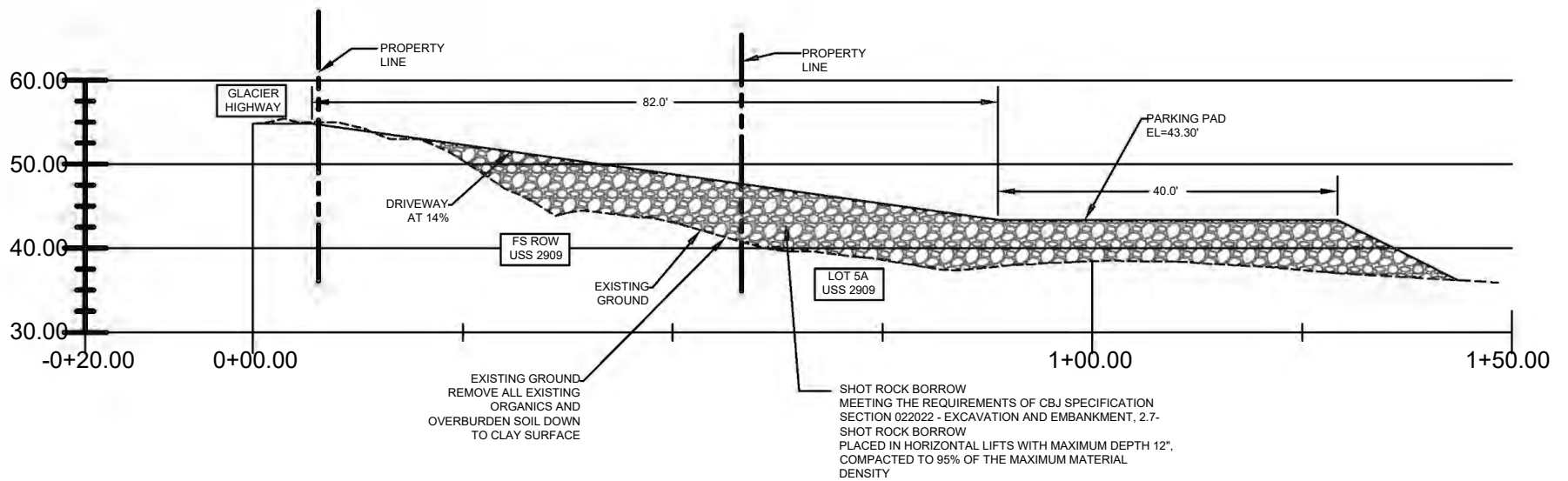
Gabriel Hayden, P.E.  
hayden@katabaticeng.com  
(907) 866-5579

Grading Plan

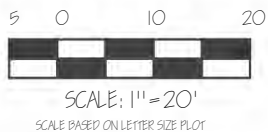
Lot 5 A, USS 2909  
12005 Glacier Highway  
Juneau, AK 99801

Site Plan

DRAWN:  
3/31/2021  
SHEET #  
1/5



### DRIVEWAY CENTERLINE PROFILE



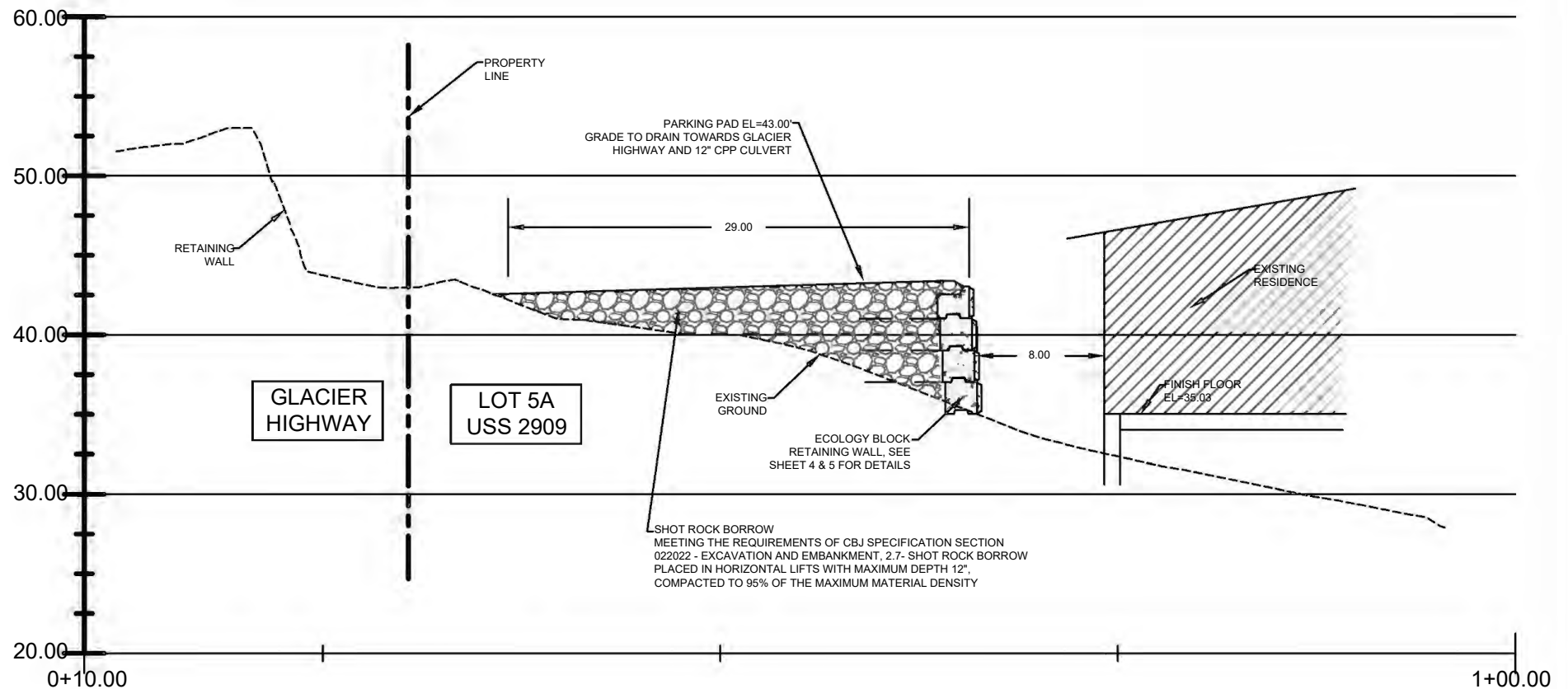
Gabriel Hayden, P.E.  
hayden@katabaticeng.com  
(907) 866-5579

Grading Plan

Lot 5 A, USS 2909  
12005 Glacier Highway  
Juneau, AK 99801

Driveway Profile

DRAWN:  
3/31/2021  
SHEET #  
2/5



## SECTION A-A



Gabriel Hayden, P.E.  
hayden@katabaticeng.com  
(907) 866-5579

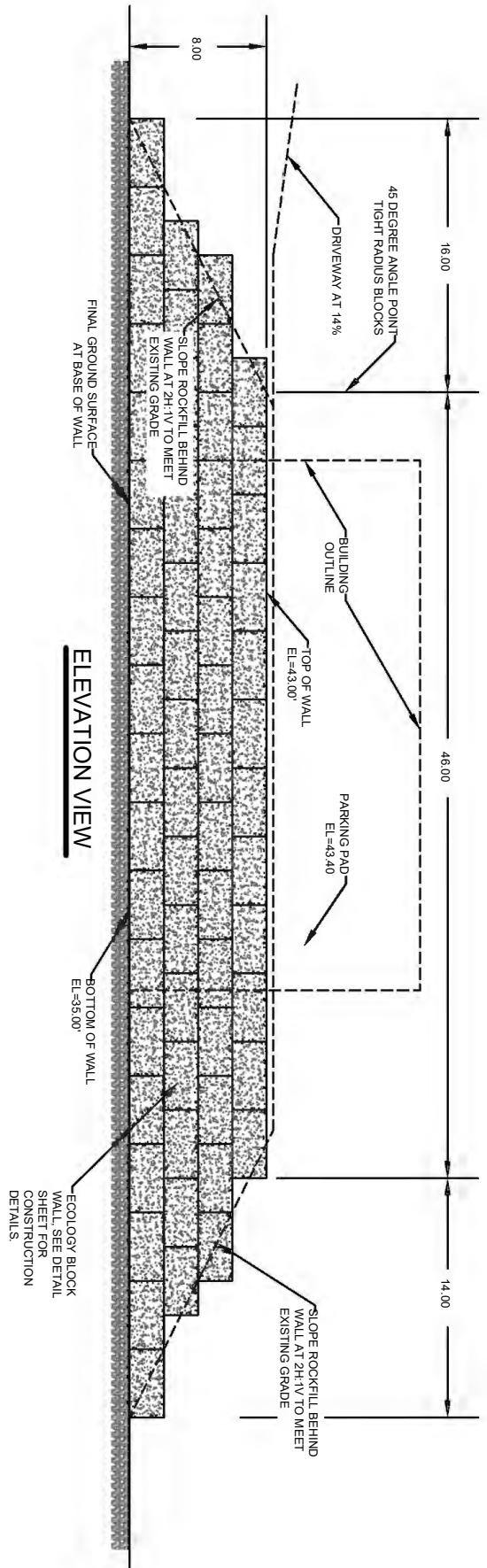
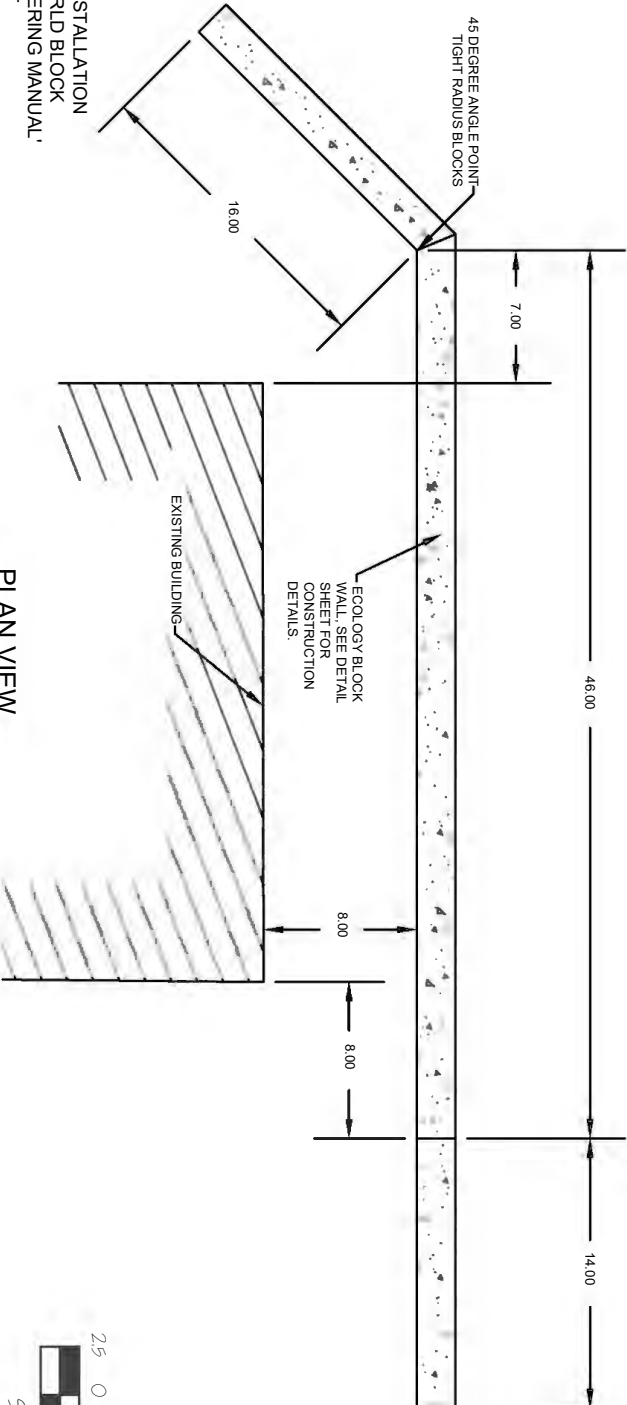
Grading Plan

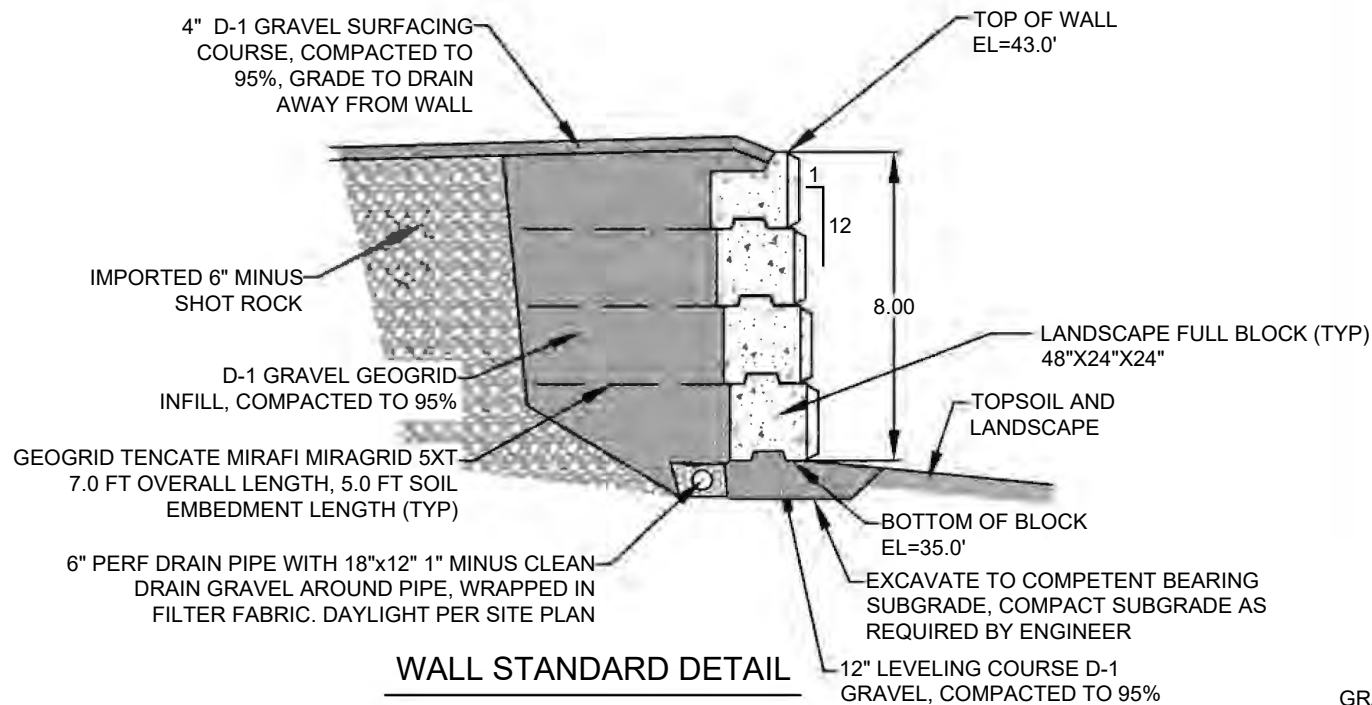
Lot 5 A, USS 2909  
12005 Glacier Highway  
Juneau, AK 99801

Section A-A

DRAWN:  
3/31/2021  
SHEET #  
3/5

### PLAN VIEW





**WALL STANDARD DETAIL**



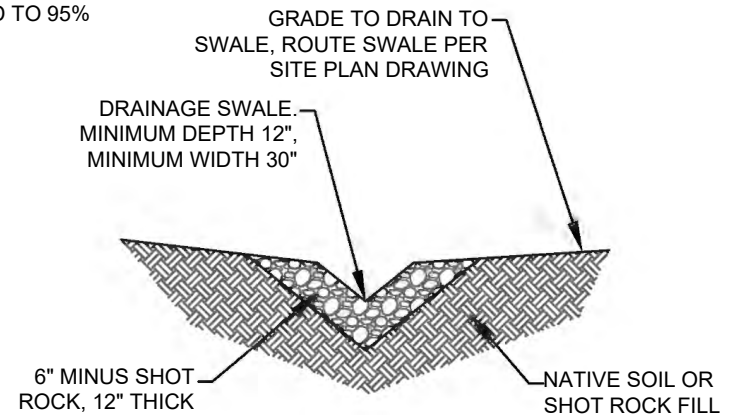
SCALE: 1"=5'

SCALE BASED ON LETTER SIZE PLOT

**NOTES:**

1) INSTALL BLOCKS PER INSTALLATION GUIDELINES GIVEN IN 'WORLD BLOCK INSTALLATION AND ENGINEERING MANUAL' DOCUMENT. AVAILABLE AT

<https://www.worldblock.com/world-block-installation-and-engineering-manual.html>



**DRAINAGE SWALE DETAIL**



Gabriel Hayden, P.E.  
hayden@katabaticeng.com  
(907) 866-5579

Grading Plan

Lot 5 A, U55 2909  
12005 Glacier Highway  
Juneau, AK 99801

Details

DRAWN:  
3/31/2021  
SHEET #  
5/5

**53.09.260 - Negotiated sales, leases, and exchanges.**

(a) Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

(b) Review and approval process. Upon satisfactory progress in the negotiation or competition undertaken pursuant to subsection (a) of this section, after review by the planning commission for disposals other than leases, after review by the assembly lands committee, and authorization by the assembly by ordinance, the manager may conclude arrangements for the lease, sale, exchange, or other disposal of City and Borough land. The final terms of a disposal pursuant to this section are subject to approval by the assembly unless the minimum essential terms and the authority of the manager to execute the disposal are set forth in the ordinance enacted pursuant to this subsection. The disposal may not be executed until the effective date of the ordinance.



Presented by: Lands Committee  
Introduced: 10/07/85  
Drafted by: Lands Committee

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 85-76am

AN ORDINANCE PRESERVING CERTAIN MUNICIPAL LAND  
FOR THE JUNEAU OPEN SPACE AND PARK SYSTEM.

WHEREAS, the establishment of a municipal open space and park system would permit the more efficient and effective management and use of land classified for such purposes, and

WHEREAS, in accordance with CBJ 53.09, the Planning Commission has previously classified as "public use" those lands included in the list attached hereto as Appendix 1 and the maps attached hereto as Appendix 2, and

WHEREAS, such lands appear to be well suited for inclusion in an open space and park system, and

WHEREAS, the Planning Commission has reviewed and concurs with the objectives of this ordinance;

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

\* Section 1. Classification. This ordinance is a non-code ordinance.


\* Section 2. Preservation of Land. (a) Those parcels of land listed in Appendix 1 and depicted in Appendix 2 are preserved from all other uses for the purpose of inclusion in the Juneau Open Space and Park System; provided, however, waterlines, utilities, access, roads, easements and similar incidental uses may be allowed, and provided further that appropriate present uses and adequate future space for major right-of-way alignments shall be maintained in those parcels designated in Appendix 1 as 0412B and 0520A.

(b) The manager or his designee, upon a finding that circumstances so warrant, may by regulation issued pursuant



to CBJ 67.01.045 subject any of the aforesaid parcels to the application of CBJ 67.01, and such action shall be regarded as a dedication for the purposes of CBJ 67.01.030.

Adopted this 3rd day of March, 1986.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk

PARK AND OPEN SPACE STATISTICAL SHEETS

General Location	CBJ Parcel Number	Property Description	Approx. Acreage	Classification	Comprehensive Plan Designation	Legal Description
Auke Nu Cove	0202	Indian Cove Island	1.54	Public Use - Waterfront Recreation	Open Space	Lot 2, USS 3810
	0203	Indian Point Shoreline	24.02	Public Use - Open Space Preserve	Existing Park	Lots 3 and 4, USS 3811
Auke Bay	0301	Auke Bay Shoreline Access	.36	Public Use - Beach Access	Urban Low Density Residential	Fraction of USS 3812
	0302	Auke Bay Shoreline Access	.14	Public Use - Beach Access	Beach Access	ROW, USS 2909
	0305	Spaulding Trailhead & Corridor	1.39	Public Use - Trail Access	Trail Corridor	Lot 1, USS 2391
Auke Lake	0400A	Spaulding Trail Corridor	4.10	Public Use -	Trail Corridor	Fraction of Lot 3, USS 3820, 50 feet each side of Spaulding Trail centerline
	0400B	Auke Lake Shoreline	1.50	Public Use -	Urban Low Density Residential	Fraction of Lot 3, USS 3820 south of Back Loop Road
West Mendenhall Valley	0404	Auke Lake Access	.67	Public Use -	Urban Low Density Residential	Lot 1, Tract A, USS 2392

\* Future road corridor will cross this parcel.

NOTE: Greenbelts for stream corridors are measured from HWL.

EXCERPT

# CBJ Open Space and Park System

Map 3  
Auke Bay  
Sept.1,1985

## LEGEND



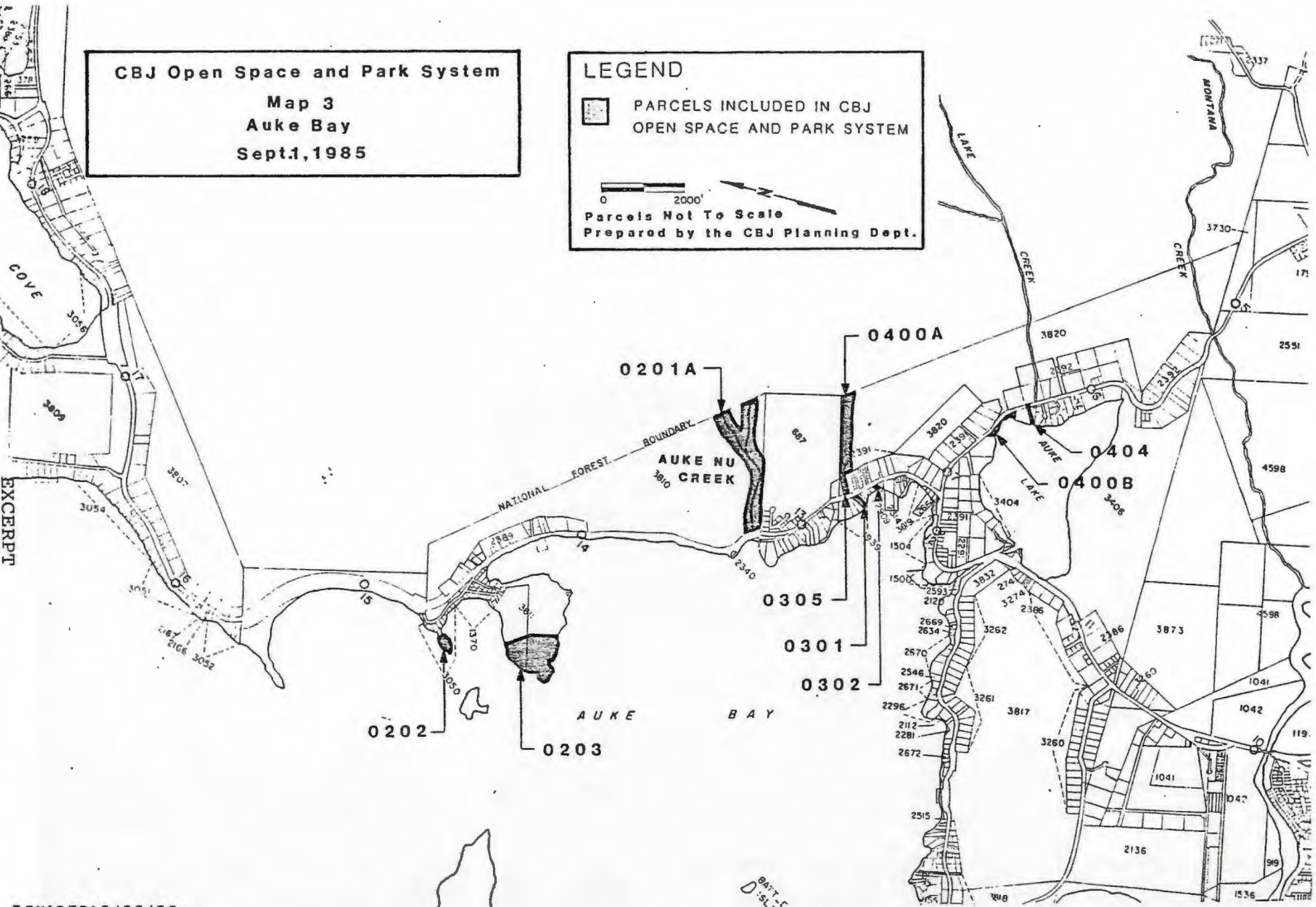
PARCELS INCLUDED IN CBJ  
OPEN SPACE AND PARK SYSTEM

0 2000'

Parcels Not To Scale

Prepared by the CBJ Planning Dept.

EXCERPT



REVISED: 9/26/85



## MEETING MINUTES

### PARKS & RECREATION ADVISORY COMMITTEE

TUESDAY, JUNE 1, 2021 – 5:30 PM

Zoom Webinar

#### I. Call to Order at 5:32 p.m. – C. Mertl, Chair

**Present:** Alex Beebe-Giudice, Edric Carrillo, Ron Crenshaw, Kirk Duncan, Emily Haynes, Chris Mertl, Will Muldoon

**Absent:** Josh Anderson, Makayla Chappell

**Staff Present:** George Schaaf, Director; Michele Elfers, Deputy Director; Lauren Verrelli, Recreation & Public Services Manager; Dan Bleidorn, Lands Manager; Kristi West, EVC Manager

#### II. Agenda Changes – None

#### III. Approval of Meeting Minutes –

- A. From May 4, 2021 – W. Muldoon moves to approve minutes; no objection. ***Minutes adopted.***

#### IV. Public Participation on Non-Agenda Items – None

#### V. New Business –

##### A. Chair & Liaison Elections

##### B. Cope Park Easement Application

**C. Auke Bay Beach Access Easement Application**

G. Schaaf: Peak Construction has submitted an application for a permanent easement to construct a driveway on a Beach Access parcel in Auke Bay. We did receive some additional information from the applicant today a couple minutes before close of business. This was emailed out to you all. The information we received from the applicant today states a new purpose and need for the project, which is different from what their original application contained. From staffs perspective, this doesn't change our recommendation that this is not in the best interest for the public and is not consistent with the Parks & Rec Master Plan.

W. Muldoon: I am concerned about the public beach access piece of this request.

M. Schaaf: The information we received from the applicant did not really address public access to the shoreline, which is the chief concern of ours. This parcel was dedicated by the Assembly 30 years ago to maintain public access to the shoreline. The impact of granting a permanent easement that covers the entire road frontage of this parcel is not explored in their proposal. As our community develops in the future, these type of beach access points for the public will be more important and we will be seeing these access points developed more fully in the future.

R. Crenshaw: I wouldn't mind this request being delayed until the property owners can show that the public parking and access would not be diminished from what it is now.

A. Beebe-Giudice: Mr. Schaaf you mentioned that in the future this area might be improved to enhance the existing informal access that this parcel provides to the beach. Could you give more details on improvements, what that would look like and when would these happen?

G. Schaaf: The Department does not have a definitive timeline on when improvements to this particular parcel would happen. I do know that this is not currently in our Capital Improvement Plan, which has a five-year horizon.

A. Beebe-Giudice: At what point does public comment come into play here since this would drastically change the area.

G. Schaaf: This is an opportunity for public comment here at the PRAC. This easement proposal will go to the Lands Committee and then to the Assembly. The Department could go out to seek public comment as well.

W. Muldoon: Can there be an explanation about a land disposal versus a permanent easement? A driveway seems like a permanent fixture in my mind.

Dan Bleidorn: Easements are covered under the disposal code. The difference between a sale and an easement would be a full on sale would go to the Assembly by ordinance and an easement would be passed through by a resolution at the Assembly level.

C. Mertl: Maintaining beach access is a high priority and we should avoid disposal because they are a high value to the community. I do not support this because we are

taking away a public parking area that provides access. Is there a way to work with the applicant to create some sort of parking pad on the waterside of the driveway and a set of stairs that actually gives public access to the water?

Dan Bleidorn: The board could put in conditions on this easement stating that they would be in favor with certain conditions such as providing parking and making access more accessible.

Jim Parise (Applicant): Thank you for letting me speak. I wanted to clarify that the parking pad in the pictures provided is actually private property and the CBJ land is currently blocked by a retaining wall. There really is not any access except steep dangerous terrain. In addition, within 300 yards in either direction there is other public access or parking. This is our dream home because we are moving onto the water and the reason we picked this spot is the revitalization plan for Auke Bay. Our improvements would create beach access for this area since there currently really is not any access.

W. Muldoon: Do you think it is feasible or unfeasible to look more towards leasing versus an easement?

Jim Parise: An easement is better because then we do not have to worry every five years whether or not we're going to get our lease renewed.

E. Hayes: You had noted this easement, if constructed, would actually provide more access to the waterfront property but that is not clear in your drawings.

Jim Parise: What we would be doing is improving the land to get to my land so that anybody can walk across it. Would not be enough room to have public parking though.

A. Beebe-Giudice: Can we get clarification on the existing garage? The easement request is for a driveway, is this the only solution for the parking problem on your property is this easement? What about demoing the current garage and creating something that works for you there not on parkland?

Jim Parise: This is what we have come up with so far since our desire is to drive up to the house and not have to access it by stairs, especially as we age.

C. Merti: I would like to see if the Department can find common ground and see if this is something the Department wants to pursue.

G. Schaaf: Staff had very little time to work on this and have already absorbed a significant amount of staff time reviewing the limited information we had.

K. Duncan: We should not rush into anything. The applicant needs to address all the concerns they heard tonight, present it to staff, refine the proposal, and then bring it back to PRAC.

R. Crenshaw: I support what Mr. Duncan suggested. We take no action on this tonight and refer to the applicant and staff to bring back a more definitive proposal.





**TO:** Michelle Hale, Chair, Lands, Housing & Economic Development Committee  
**FROM:** George Schaaf, Parks & Recreation Director  
**CC:** Dan Bleidorn, Lands & Resources Manager  
**DATE:** April 7, 2022  
**RE:** Temporary Closure - Auke Lake

---

The first IRONMAN Alaska triathlon will be held in Juneau on August 7, 2022. Staff from IRONMAN, Travel Juneau, the State of Alaska, University of Alaska Southeast, and CBJ have been coordinating a wide range of details in preparation for the race, which includes running, biking, and swimming.

The race's swimming course consists of a 2.4-mile loop in Auke Lake, including the Auke Lake Wayside and boat launch. The race course will be marked with dozens of buoys on August 6<sup>th</sup>, and more than 1,500 athletes will swim in the lake on August 7<sup>th</sup>. To protect the safety of the public and race participants, staff have prepared an ordinance temporarily closing Auke Lake to motorized vessels and other uses August 6-7, 2022.

Auke Lake is a navigable lake managed by both the Alaska Department of Natural Resources and CBJ. The state has provided a Letter of No Objection to the proposed ordinance. Separately, staff are working with the Juneau International Airport and the Federal Aviation Administration to issue a Notice to Airman (NOTAM) directing pilots to avoid the lake during the race.

The proposed ordinance was reviewed by the Parks & Recreation Advisory Committee on April 5, 2022, which unanimously recommended approval.

Presented by: The Manager  
Presented: 04/04/2022  
Drafted by: Layne/Palmer

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

**Serial No. 2022-23**

**An Ordinance Temporarily Closing Auke Lake for the 2022 IRONMAN Alaska Triathlon and Providing a Penalty.**

WHEREAS, IRONMAN Group and Travel Juneau entered into an agreement to bring the IRONMAN to Juneau in August, 2022; and

WHEREAS, a portion of the IRONMAN triathlon will take place in Auke Lake for a 2.4 mile swim on August 7, 2022; and

WHEREAS, public access to Auke Lake is generally provided by the City and Borough of Juneau; and

WHEREAS, IRONMAN Group plans to set up the swimming route for the race in Auke Lake on Saturday, August 6, 2022; and

WHEREAS, approximately 1,500 participants will be swimming two laps (2.4 miles) in Auke Lake between 6:00 a.m. and 9:20 a.m. on Sunday, August 7, 2022; and

WHEREAS, as a home rule municipality, the City and Borough of Juneau—in addition to the State of Alaska—has regulatory authority over places like Auke Lake that are wholly within the City & Borough of Juneau; and

WHEREAS, Auke Lake is 160 acres and pursuant to CBJC 67.01.095, is normally open daily for motorized uses June – August from 9:00 a.m. to 10:00 p.m.; and

WHEREAS, upon balancing the general public's interest in using Auke Lake, the lack of other reasonable IRONMAN swimming locations, the minor burden of a temporary public use closure, and the high potential for user conflicts if a public use closure is not enacted, this ordinance is in the best interest of the public health, safety, and welfare of participants, triathlon staff, and the general public.

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

**Section 1. Classification.** This ordinance is a noncode ordinance.



**Section 2. Authorization to Prohibit Unauthorized Use of Auke Lake.**

- (A) **Public Use Closure.** The Manager may temporarily close Auke Lake to unauthorized public uses on Saturday, August 6, 2022, 7:00 a.m. through Sunday, August 7, 2022, 11:59 p.m. for the swimming portion of the IRONMAN Alaska triathlon. The Manager may extend and reduce the public use closure duration as necessary to protect public health, safety, and welfare of participants, triathlon staff, and the general public.
- (B) **Conflict with CBJC 67.01.095, Motorized uses on Auke Lake.** To the extent the public use closure authorized in section (A) of this ordinance conflicts with CBJC 67.01.095 or any other City and Borough of Juneau law, the public use closure authorized by section (A) of this ordinances controls.
- (C) **Public Notice.** The Manager should cause public notices to be issued identifying the public use closure period approximately seven days and 24 hours prior to the closure. The Manager must place signs at conspicuous public access points to Auke Lake identifying the public use closure.
- (D) **Penalty.** Violation of the public use closure in section (A) of this ordinance is punishable as criminal trespass, CBJC 42.15.015(a)(1).

**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Beth A. Weldon, Mayor

Attest:

\_\_\_\_\_  
Elizabeth J. McEwen, Municipal Clerk

**MEMORANDUM OF AGREEMENT  
BETWEEN JUNEAU CONVENTION AND VISITOR'S BUREAU, INC. AND  
THE CITY AND BOROUGH OF JUNEAU**

**I. PARTIES**

This Memorandum of Agreement ("MOA") is between Juneau Convention and Visitor's Bureau, Inc. ("Travel Juneau") and the City and Borough of Juneau ("CBJ").

**II. PURPOSE**

The purpose of this Memorandum of Agreement is to document the cooperation between the parties to facilitate IRONMAN triathlon events within the City & Borough of Juneau, and to identify each party's responsibilities.

**III. TRAVEL JUNEAU SHALL**

- A. Serve as the primary point of contact with IRONMAN Group for planning IRONMAN events in Juneau.
- B. Serve as the primary point of contact for businesses, residents, and visitors seeking information about IRONMAN events in Juneau.
- C. Work cooperatively with CBJ, other government agencies, and the community to plan and coordinate IRONMAN events in Juneau.
- D. Schedule use of CBJ facilities by IRONMAN Group in order to minimize impacts to user groups and the general public.
- E. Ensure that adequate facilities and services are provided to support the IRONMAN event, including, but not limited to: portable restroom units, waste disposal, traffic control, security, lighting, signage, and communications (including internet).
- F. Provide a post event clean-up plan to remove trash and restore all areas used by participants, spectators to equal or better condition within 72 hours after the conclusion of the event. Travel Juneau will ensure that IRONMAN Group follows this plan.
- G. Coordinate with IRONMAN Group to promote events and increase the volume and economic impact of fully independent tourism for Juneau.
- H. Provide a final report to CBJ within 90 days of the conclusion of the event documenting outcomes, including operational issues, private funding secured, and estimated economic impact.

- I. Recognize CBJ as an event sponsor in all promotional products, materials, and media. The form of the recognition shall be:

City and Borough of Juneau, Alaska

- J. Be responsible for any damage to facilities incurred as a result of the event or caused by participants, spectators, staff, or volunteers, and repair such damage in a timely manner to equal or better condition than prior to the event.
- K. Adhere to the following insurance requirements.

**Event Insurance.** Travel Juneau shall secure Event Insurance that covers all aspects of the triathlon, including all pre-race activities and post-race restoration of site(s) to previous condition. This coverage shall include Participant Accident Insurance and evidence that the General Liability coverage includes coverage for injuries to athletic participants **names the City and Borough of Juneau as Additional Insured.**

In addition to Event Insurance, Travel Juneau shall maintain the following insurance coverage at all times for the duration of this Memorandum of Agreement:

1. **Commercial General Liability Insurance.** Commercial General Liability Insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against Travel Juneau. This amount must be at least \$1,000,000 per occurrence, and \$2,000,000 aggregate. **This insurance policy is to contain, or be endorsed to contain, additional insured status for the CBJ, its officers, officials, employees, and volunteers.**
2. **Workers Compensation Insurance.** If required by Alaska Statute (*see* Alaska Statute 23.30), Travel Juneau shall ensure that any Contractor must maintain Workers Compensation Insurance to protect the Contractor from any claims or damages for any bodily or personal injury or death which may arise from services performed under this contract. This requirement applies to the Contractor's firm, the Contractor's subcontractors and assignees, and anyone directly or indirectly employed to perform work under this contract. The Contractor must notify the City as well as the State Division of Workers Compensation immediately when changes in the Contractor's business operation affect the Contractor's insurance status. Statutory limits apply to Workers Compensation Insurance. The policy must include employer's liability coverage of \$100,000 per injury and illness, and \$500,000 policy limits. **If the Contractor is exempt from Alaska Statutory Requirements, the Contractor must provide written confirmation of this status in order for the CBJ to waive this requirement.**
3. **Comprehensive Automobile Liability Insurance.** The coverage shall include all owned, hired, and non-owned vehicles \$1,000,000 combined single limit coverage.

For any claims related to this agreement, Travel Juneau's insurance coverage shall be primary insurance coverage as respects the CBJ, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the CBJ, its officers, officials, employees, or volunteers shall be excess of Travel Juneau's insurance and shall not contribute with it.

- L. Defend, indemnify, and hold harmless CBJ, its employees, volunteers, consultants, and insurers, with respect to any action, claim, or lawsuit arising out of or related to Travel Juneau's performance under this Memorandum of Agreement, without limitation as to the amount of fees, and without limitation as to any damages, costs or expenses resulting from settlement, judgment, or verdict, and includes the award of any attorneys' fees even if in excess of Alaska Civil Rule 82. This indemnification agreement applies to the fullest extent permitted by law and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against CBJ relating to this Memorandum of Agreement. The obligations of Travel Juneau arise immediately upon actual or constructive notice of any action, claim, or lawsuit. CBJ shall notify Travel Juneau in a timely manner of the need for indemnification, but such notice is not a condition precedent to Travel Juneau's obligations and is waived where Travel Juneau has actual notice.

#### IV. CBJ SHALL

- A. Provide non-exclusive use of the following CBJ-managed lands and facilities for IRONMAN events at no cost to Travel Juneau or IRONMAN Group:
- Auke Lake
  - Auke Lake Trail
  - Auke Lake Wayside, including parking lot and boat ramp.
  - Dimond Park Fields 1-4.
  - Dimond Park Concession Stand & Restrooms.
  - Dimond Park parking lots (except Dimond Park Aquatic Center and Mendenhall Valley Public Library).
  - Kaxdigoowu Heen Dei (Brotherhood Bridge) Trail.
  - Kaxdigoowu Heen Dei (Brotherhood Bridge) trailheads and parking lots at River Rd. and Glacier Hwy.
  - Montana Creek Road.
- B. Provide once-daily janitorial cleaning of the Dimond Park Field House, Concession Stand, and Restrooms while in use by IRONMAN Group.
- C. Work cooperatively with Travel Juneau, other government agencies, and the community to plan and coordinate IRONMAN events in Juneau.
- D. Waive commercial use fees (including application fees) otherwise required by 11 CBJAC 01.050 for use of CBJ facilities identified in this agreement by Travel Juneau or IRONMAN Group, in consideration of the cooperation between the parties. Commercial use permits will be required pursuant to CBJ 67.01.090(i) and may contain reasonable conditions.
- E. Suspend construction and maintenance activities at the facilities named in this agreement for the duration of the IRONMAN event, except emergency repairs deemed necessary as determined solely by CBJ.
- F. Allow de minimus use of water and electricity provided by existing infrastructure at Dimond Park at no cost.

- G. Work cooperatively with Travel Juneau, other government agencies, and the community to plan and coordinate IRONMAN events in Juneau.
- H. Provide one (1) Advanced Life Support (ALS) ambulance with staff in the vicinity of the event for emergency medical services on the day of the IRONMAN race, as well as one (1) Basic Life Support (BLS) ambulance with staff on standby. Ambulances are available for medical emergencies and traumas related to the IRONMAN event and are not intended to provide minor first aid services. Ambulances may be dispatched for other calls if other resources are not available.
- I. Provide police services subject to personnel availability and workload. Travel Juneau shall be responsible for paying all costs associated with additional police staffing, overtime, and related expenses provided by CBJ.

**V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:**

- A. Travel Juneau and/or IRONMAN Group shall be solely responsible for providing adequate security and may assist with traffic control for the event as requested by JPD. CBJ will not provide any site security other than emergency response.
- B. The responsibilities contained in this Memorandum of Agreement reflect the entirety of each party's obligations. Any additional responsibilities must be mutually agreed to in writing.
- C. Principal Contacts. The individuals listed below are authorized to act in their respective capacities for matters related to this agreement.

<b>Travel Juneau Contact</b>	<b>CBJ Contact</b>
Liz Perry, Executive Director Travel Juneau 800 Glacier Ave., Suite 201 Juneau, AK 99801 Phone: (907) 586-2201 Email: liz.perry@traveljuneau.com	George Schaaf, Parks & Recreation Director City & Borough of Juneau 155 S. Seward St. Juneau, AK 99801 Phone: (907) 586-5226 Email: george.schaaf@juneau.org

- D. Termination. Either party may terminate this agreement without cause upon 30 days written notice.
- E. Choice of Law. The Superior Court for the State of Alaska, First Judicial District at Juneau, Alaska shall be the exclusive jurisdiction for any action of any kind and any nature arising out of or related to this MOA. Venue for trial in any action shall be in Juneau, Alaska. The laws of the State of Alaska shall govern the rights and obligations of the parties.
- F. Severability. If a court of competent jurisdiction renders any part of this MOA invalid or unenforceable, that part will be severed and the remainder of this MOA will continue in full force and effect.

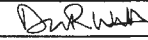
G. Waiver. Failure or delay by the CBJ to exercise a right or power under this MOA will not be a waiver of the right or power. For a waiver of a right or power to be effective, it must be in a writing signed by the CBJ. An effective waiver of a right or power will not be construed as either a future or continuing waiver of that same right or power, or the waiver of any other right or power.

H. Agreement. All parties mutually agree to the terms of this MOA.

This Memorandum of Agreement is entered into as of the date signed by the City & Borough Manager below.


**City & Borough of Juneau:**

Date: 3-22-2022

By: 

**Travel Juneau:**

Date: 3-8-22

By: 



**TO:** Parks & Recreation Advisory Committee  
**FROM:** George Schaaf, Parks & Recreation Director  
**DATE:** April 7, 2022  
**RE:** April 5, 2022 Meeting

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### DIRECTOR'S REPORT

Please find enclosed the information supporting your agenda topics for this meeting. The meeting is anticipated to last 60 minutes and will take place via **Zoom Webinar**. To join the Zoom Webinar, go to <https://juneau.zoom.us/j/94184441385> or call 1-253-215-8782. **Webinar ID:** 941 8444 1385.

### NEW BUSINESS

**A. Urban & Community Forestry Program – Presented by Liz Graham, U.S. Forest Service**

Liz Graham is the acting Urban and Community Forestry Program Manager for Alaska. She will introduce herself and her program to the Committee, and discuss the need for a Juneau urban forestry plan/landscape ordinance. With new funding opportunities on the horizon, these actions will help Juneau access some of these funds and programs.

**SUGGESTED MOTION:**

None.

**B. Kaxdigoowu Heen Dei (Brotherhood Bridge Trail) Rehabilitation – Presented by Christina Mounce & Peter Jackson, Alaska Dept. of Transportation & Public Facilities**

Parks & Recreation staff are working with DOT&PF to repair and improve the Kaxdigoowu Heen Dei (Brotherhood Bridge Trail), and construction is planned for 2023. Public comments on the project are being requested through April 30, 2022. Staff will present information about the project and public process.

**SUGGESTED MOTION:**

None.

**C. Auke Lake Temporary Closure – Presented by G. Schaaf**

The Department has prepared an ordinance to temporarily close the surface of Auke Lake to motorized vessels and other uses on August 6-7, 2022, during the IRONMAN Alaska triathlon. The closure is necessary to allow race staff and volunteers to mark the 2.4-mile swim course, and to protect the safety of more than 1,500 competitors who will be in the lake on the day of the race.

Auke Lake is a navigable lake that is regulated by both the State of Alaska and CBJ. The Alaska Dept. of Natural Resources has reviewed the closure and provided a Letter of No Objection.

**SUGGESTED MOTION:**

The Parks & Recreation Advisory Committee recommends that the Assembly adopt the ordinance temporarily closing Auke Lake during the IRONMAN Alaska triathlon.

**D. 35-Mile ORV Riding Park – Presented by M. Elfers**

The Parks and Recreation Department has been working with an informal group of off road vehicle enthusiasts to plan for riding opportunities in Juneau since 2019. Using past CBJ studies and evaluations of various sites around the community, the group has identified the 35 mile CBJ property as a potential location for a riding park. An initial concept layout has been developed for the riding park and includes a secure entry with a kids training area, a loop trail, mud bog area, and cross country area. Staff is in initial talks with the Juneau Off-Road Association (JORA) to take the lead as the community non-profit organization on the planning of the park.

**SUGGESTED MOTION:**

The Parks and Recreation Advisory Committee recommends that the Assembly support the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.

**UNFINISHED BUSINESS**

**A. Disposal of Park Land – Requested by CBJ Lands & Resources**

James Parise previously applied for an easement to construct a driveway across CBJ land dedicated as a Natural Area Park in Auke Bay (Parcel No. 4B2801020070). For a number of reasons, the Departments of Law and Community Development determined that it is not possible to grant an easement. To accommodate Mr. Parise's renovation project, the Parks & Recreation Department provided Mr. Parise with a Memorandum of Agreement allowing temporary access across the park to facilitate a home renovation project. Mr. Parise has now applied to purchase the entire CBJ parcel; this application is included in the packet for tonight's meeting.

According to the Juneau Comprehensive Plan, it is the policy of CBJ to "hold lands in the public trust, and to dispose of certain lands for private use when disposal serves the public interest" (Policy No. 17.2). The Plan goes on to state:

*"To the greatest extent practicable, retain shoreline and riparian lands in public ownership. However, where disposal of such lands is deemed by the Assembly to be appropriate, ensure the provision of public access to the shoreline and water including provision of adequate trail head or boat launch areas, and retention of a public access easement along beaches" (Development Guideline 17.2 – DG1).*

This parcel holds significant value because it provides public access to Auke Bay. While the Department has no plans or funding to develop this access in the immediate future, this access will become more important in the future as Auke Bay continues to grow. The Department also appreciates the applicant's desire to improve access to their private property. Given the unique



circumstances of this particular situation, the Department does not oppose disposing of this parcel if public access to the water is maintained through a permanent easement that runs with the land. I also recommend that, if the park is sold, any proceeds deposited in the Lands Fund be used to acquire additional park land in the future.

**SUGGESTED MOTION:**

The Parks & Recreation Advisory Committee recommends that the Assembly dispose of the Beach Access parcel adjacent to 12005 Glacier Hwy. (Parcel No. 4B2801020070), provided that CBJ retain a permanent easement across the property to maintain public access to Auke Bay.

The Committee also recommends that any proceeds from the sale of the property to acquire park land in the future.

**STAFF REPORTS**

None.



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Natural Resources

DIVISION OF MINING, LAND & WATER  
Southeast Regional Land Office

P. O. Box 111020  
Juneau, Alaska 99811-1020  
Main: 907.465.3400  
TDD: 907.269.8411  
Fax: 907.500.9011

City and Borough of Juneau Parks  
and Recreation Department Attn:  
George Schaaf, Director 155 S.  
Seward Street  
Juneau, Alaska 99801

Re: Letter of Non-Objection (LNO): **LAS 34022**

Dear City and Borough of Juneau,

The Alaska Department of Natural Resources (DNR), Division of Mining, Land & Water (DMLW), Southeast Regional Office (SERO) (herein known as the Grantor) has completed its review of the City and Borough of Juneau (CBJ, herein known as the Grantee) request to temporarily close Auke Lake to motorized uses in Juneau, Alaska, located within Township 40 South, Range 65 East, Section 23.

The requested motorized use closure dates are **August 6<sup>th</sup>, 2022, to August 7<sup>th</sup>, 2022**. The reason for the temporary closure is to ensure the health and safety of the 2022 Juneau Ironman Triathlon staff and participants involved in the 2.4-mile swim event on Auke Lake.

Based on the information provided, DNR-DMLW does not object to this activity. The following terms and conditions are hereby incorporated as part of this Letter of Non-Objection (LNO)

- **This LNO is valid for and during the period of August 6<sup>th</sup>, 2022, and August 7<sup>th</sup>, 2022.** This LNO may be considered for an extension no sooner than 90 days prior to the expiration date. Requests for such extensions must be submitted in writing to the Grantor.
- No property right or interest in state land accompanies this LNO. This LNO is revocable with or without cause.
- This LNO is subject to all valid existing rights. Grantor makes no representations or warranties whatsoever, either expressed or implied, as to the existence, number, or nature of such valid existing rights.
- Grantor reserves the right to grant agreements to third parties for compatible uses on or adjacent to the land subject to this letter.
- Per 11 AAC 05.020(b), application and use fees are waived.

This LNO will be administered by DNR-DMLW, SERO. Any questions or concerns should be directed to Megan Hillgartner, Natural Resource Manager, at (907) 465-3401 or at [megan.hillgartner@alaska.gov](mailto:megan.hillgartner@alaska.gov)

**ALASKA DEPARTMENT OF NATURAL RESOURCES**  
Division of Mining, Land and Water

By:

A handwritten signature in blue ink, reading "Benjamin M. White".

Benjamin M. White, Regional Manager  
Southeast Regional Office



**TO:** Michelle Hale, Chair Lands, Housing and Economic Development Committee  
**FROM:** Michele Elfers, Deputy Director Parks and Recreation Department  
**DATE:** April 11, 2022  
**RE:** Off Road Vehicle Park Planning

---

The Parks and Recreation Department has been working with an informal group of off road vehicle enthusiasts to plan for riding opportunities in Juneau since 2019. Using past CBJ studies and evaluations of various sites around the community, the group has identified the 35 mile CBJ property as a potential location for a riding park. An initial concept layout has been developed for the riding park and includes a secure entry with a kids training area, a loop trail, mud bog area, and cross country area. Staff is in initial talks with the Juneau Off-Road Association (JORA) to take the lead as the community non-profit organization on the planning of the park.

The formal public process for developing a riding park includes:

1. Approval for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile. Support for this approval is being requested of the Parks and Recreation Advisory Committee (PRAC) and the Lands, Housing and Economic Development Committee (LHED) prior to being considered by the Assembly.
2. Permit application for a Conditional Use Permit to the Planning Commission for the park. CBJ Parks and Recreation Department and JORA would be joint applicants.
3. Ordinance allowing CBJ Parks and Recreation to partner with JORA on the development of the park. The ordinance is needed to authorize a partnership that may include JORA operating a park and charging fees on public land, in addition to procuring services and materials to maintain that land and park.

On February 9, CBJ and JORA held a public meeting to provide information on the park concept and answer questions from the community. Approximately 80 people attended the meeting and received answers to their questions. Additionally, a few public comments were received in writing after the meeting. The process outlined above will provide the public multiple opportunities for formal comment on the project as details and plans develop. Currently, the project is in a conceptual stage with fieldwork and analysis required to develop the plans. Step 1, approval for the manager to negotiate, is a preliminary step that does not commit CBJ to the project, but provides staff support to research and develop a potential project. At the April 5<sup>th</sup> Parks and Recreation Advisory Committee, the committee unanimously supported a recommendation of support to the Assembly as written below.

Staff recommends the LHED make a recommendation of support to the Assembly for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.



# 35 Mile ORV Riding Park

Juneau Off-Road Association  
(JORA)

CBJ Parks and Recreation  
Department



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# ORV in Community Plans

CBJ Comprehensive Plan Chapter 9.1 - IA12 Implementing Action includes

“Seek location and construction for an ATV/snowmobile course with a programmed riding course as well as trails.”

Parks and Recreation Master Plan, 2019

ORV riding areas are a park system gap

Commit to working with and supporting the ORV community to identify a suitable site and facilitate development of viable opportunities for ORV recreation.

P&R Survey - over half of respondents believe CBJ should make specific investments in recreation assets or facilities, the top rated investment was Off Road Vehicle Trails and Park

Survey also finds ORV use as a top activity that adults would like to participate in but currently don't.

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# History

**1970s-1990s** ORV and Motocross riding Thane, Dredge Lakes, Airport, Eagle River and Lemon Creek Industrial Areas. All of these areas have been shut down to riding.

**2001** USFS, CBJ, Trail Mix, and the State evaluated many sites for riding and ultimately focused on N. Douglas Quarry and Lemon Creek area behind the jail. There was some grant money, but both projects fizzled out and grant money was lost.

**2009** Many sites evaluated and top proposal for the Fish Creek quarry riding park was unsuccessful due to neighborhood concerns.

**2013** Study on 35 mile CBJ parcel for riding. Project was deemed too expensive for CBJ to undertake.

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# ORV Working Group

*Juneau Douglas Motocross Association, Southeast Jeep Club, Juneau Off-Road Association*

- Motorized and non-motorized user conflicts in the Montana Creek area resulted in significant public comment to the Parks and Recreation Department about the public's desire for riding areas
- Informal meetings with user groups since fall 2020 to discuss recreational opportunities



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# Goal of Working Group

*Identify ORV (Off Road Vehicle) riding sites, create a sustainable management structure, support safe riding, and build durable infrastructure that protects the natural and built features of the facilities.*



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# Sites Identified

## *Facility types:*

- 1. Backcountry trail riding*
- 2. Riding Park with track and features for motocross*
- 3. Riding Park for 4 wheeler use with features and play area*

- 35 mile parcel for trail riding, CBJ land
- Montana Creek area for trail riding, State of Alaska DNR land
- S&S Pond Lemon Creek, private land
- Sand and gravel pit behind Home Depot, CBJ land
- Echo Cove, Goldbelt Land
- Other privately owned lands

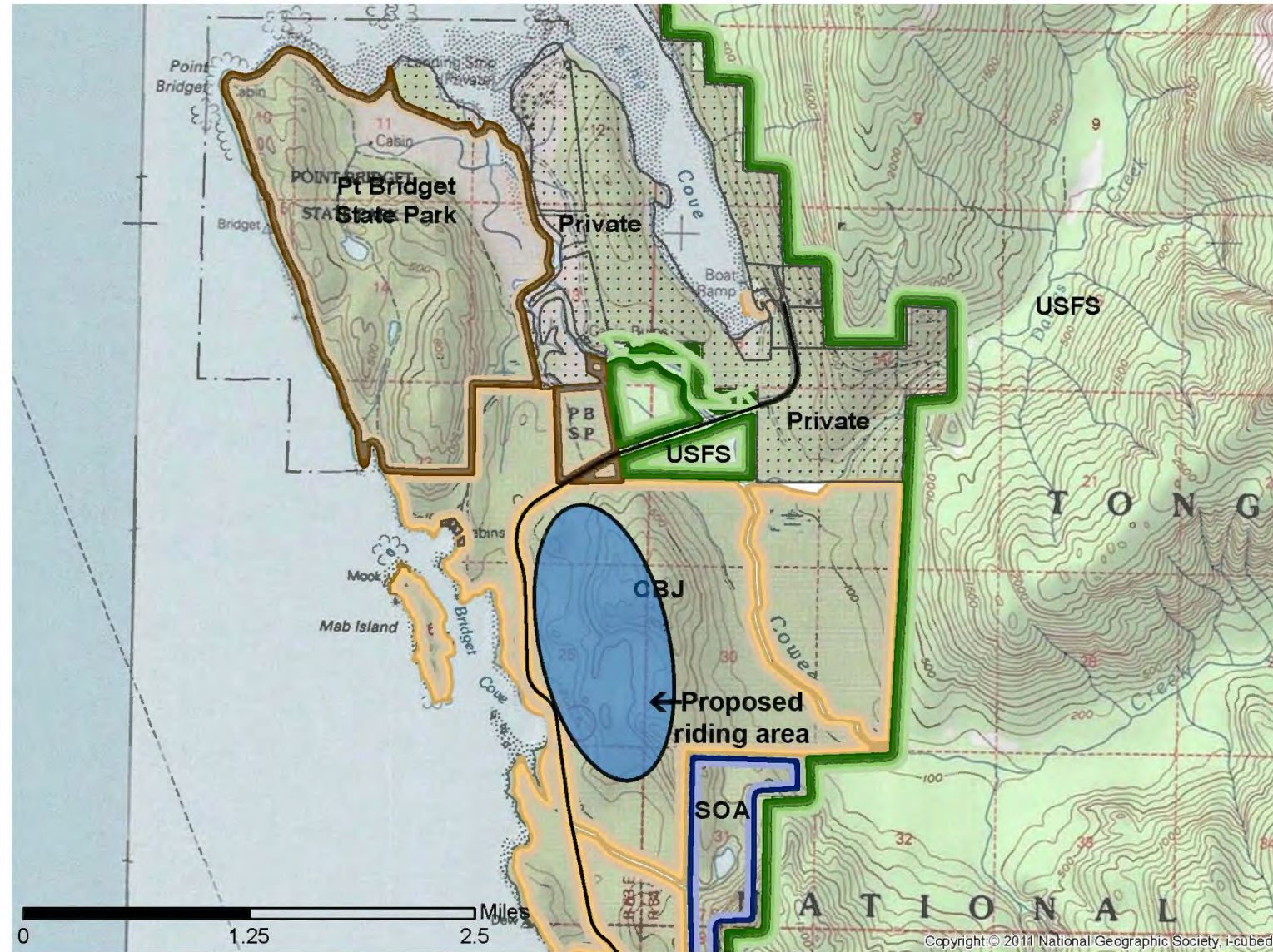
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# CBJ 35 Mile Site

CBJ studied the 35 mile property in 2013 for an ORV riding park as it was considered one of the most promising options for ORV riding in Juneau.

JORA and P&R are evaluating this site for a proposed riding area building on the 2013 data gathered.



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# CBJ 35 Mile Site Size and Topography



- Total size of parcel is 1505 acres
- In 2013, 530 acres identified as suitable for riding in environmental analysis, 975 acres unsuitable
- Adjacent to Cowee Creek and Héen Latinee Forest, separated by a ridge

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# CBJ 35 Mile History

35 mile area was logged in the 1950s-1960s, often known as the McMurchie cut.

McMurchie was the former owner of Echo Ranch and logged areas by the ranch property as well.



EC15 fw McMurchieNbridget

date: 20140721 • observer: all • acres: 54.92 • elevation: 170 feet • aspect: wsw wsw • slope: 6% • roughness: dissected • d-rank: d5 • landform: ancient marine subshed: North Bridget • PCN: 3B4501000010 • partseen: 50%

Narrative: Much of this is mature alder, colonized since McMurchie cut in the (?) 1950s or 60s.<sup>1</sup> Two of us (cp, rc) assessed here, but our AA form

<sup>1</sup> The USFS database *managed\_stands.shp* contains no records for Juneau 'out the road.' For the *CBJ Natural History Project*, I [rc] mapped most of Alan McMurchie's logging from combination of the 1979

was later superceded by another (by aa & ra) when the line was redrawn for North- versus South Bridget subsheds.

Drops from 360 feet down to 110—a rise of 150 feet over run of 2,400 (6%), with one much steeper 70-foot escarpment in the middle

NASA color infrared aerals and selective ground-truthing, down to units of probably an acre or so in size. (Carstensen, 2013a:38). But with a few exceptions from increment coring, which gives approximate 'release date' for survivors to within a few years, my estimates of logging year are imprecise, bracketed only by pre- and post logging photography.

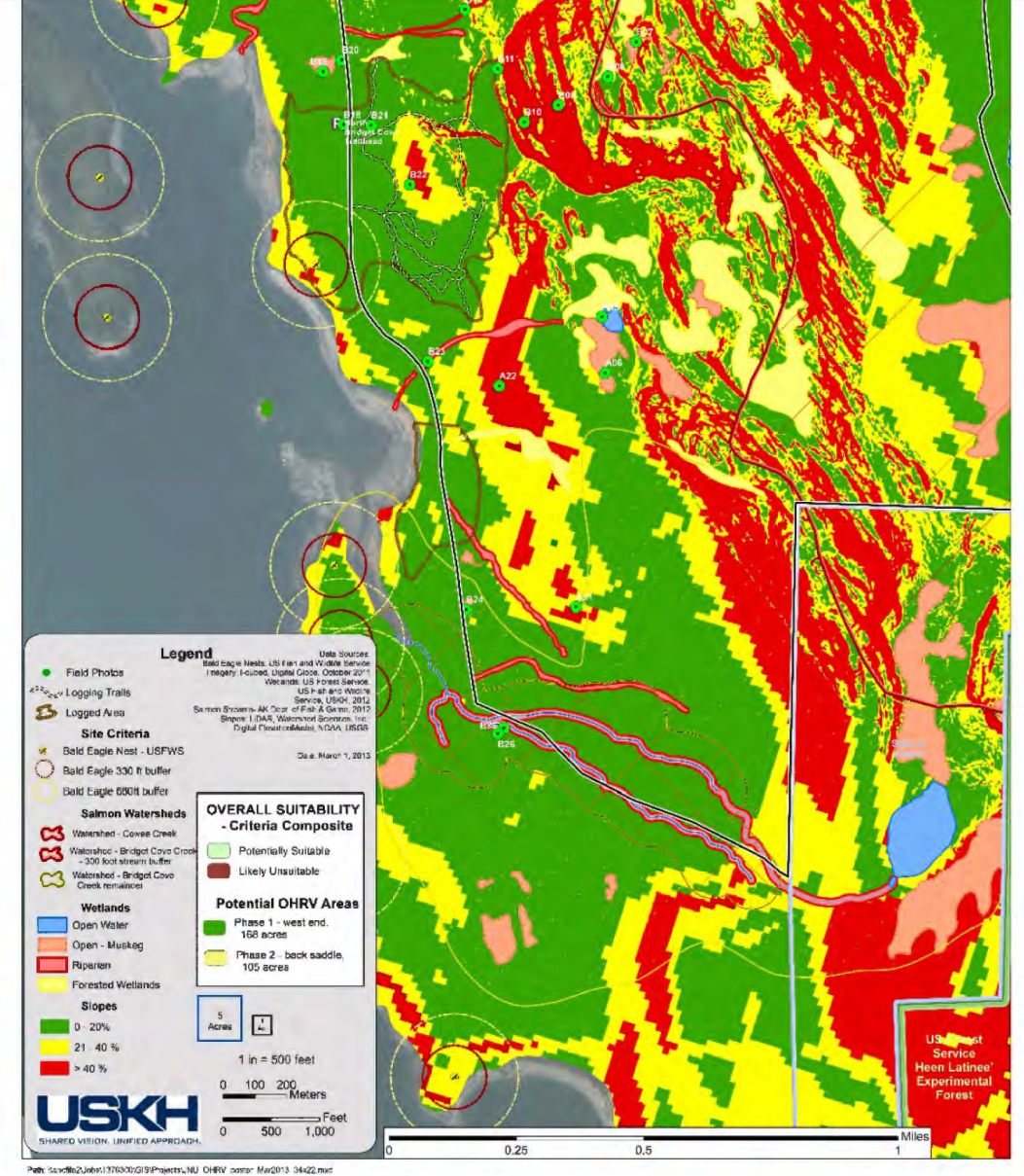
Excerpt from the Supplement to the 2016 Juneau Wetlands Management Plan, Assessment Area Narratives, Bosworth Botanical Consulting

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# 2013 Environmental Analysis

- Lots of work done on this site in 2013 study with consultant and CBJ
- Map identifies eagles' nests, watershed boundaries, wetlands by type, slopes, waterbodies
- Previously logged area and logging roads identified

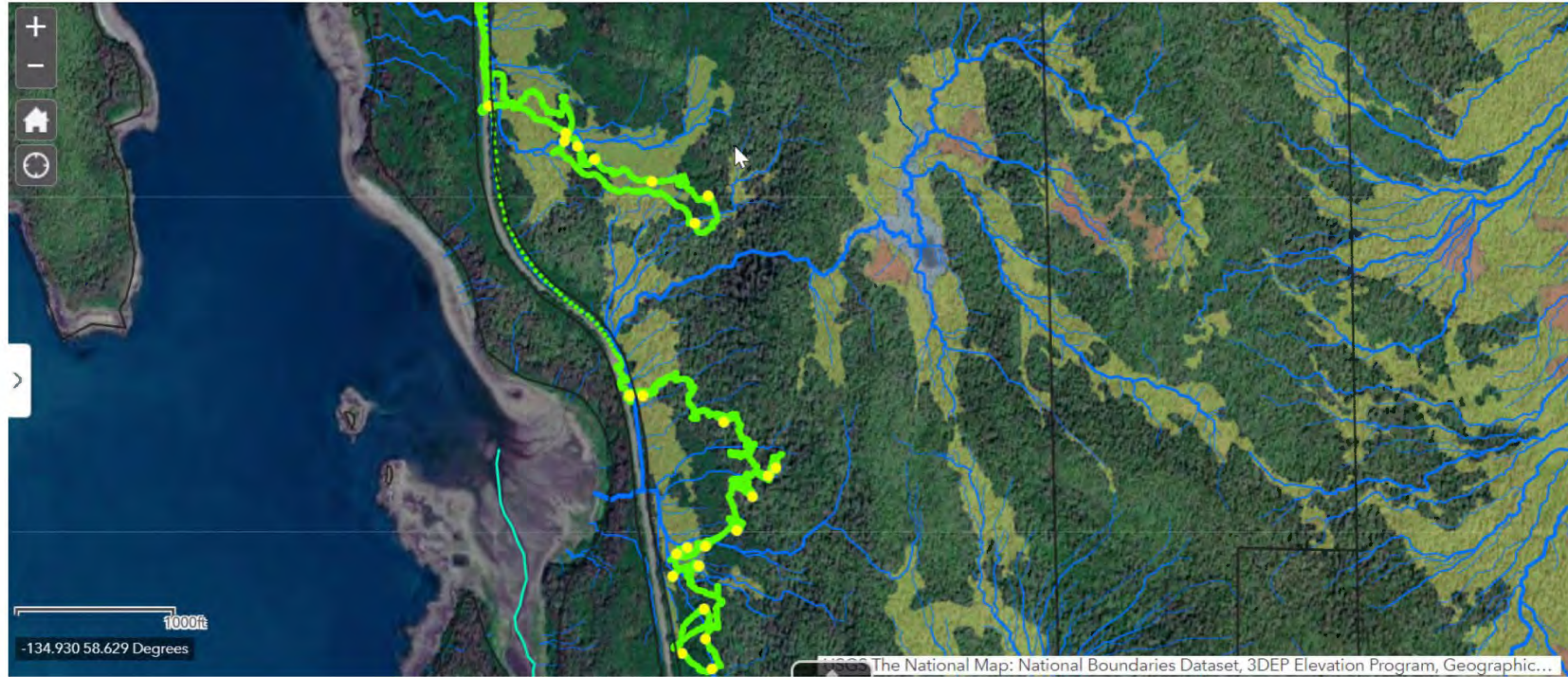


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# Work to Date

- GPS field investigation and initial trail locating with P&R, JORA, and Trail Mix and GIS Resource Mapping
- Pre application meeting with ACOE
- Ongoing meetings with informal ORV working group
- Pre-application meeting with CDD for Conditional Use Permit
- Planning for wetland delineation Spring 2022
- JORA and Trail Mix received grant for planning work on park
- Community Meeting held February 2022 to provide info and answer questions on proposal.

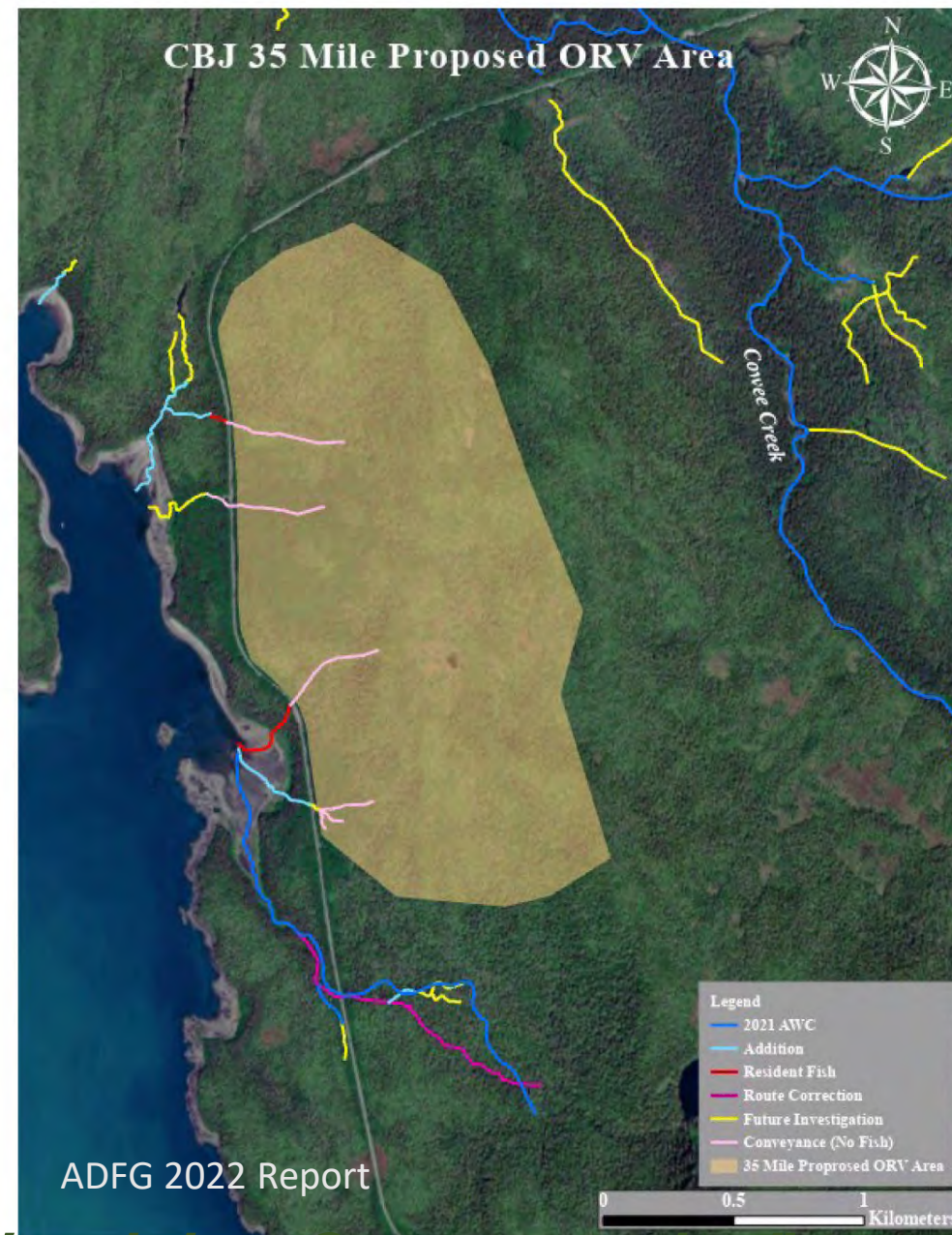


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# Work to Date

- ADFG surveyed streams in the project area in June 2021
- “No fish habitat upstream of Glacier Highway” as shown in the attached map
- Some fish habitat below the highway, outside of the project area
- Perched culverts and high gradient likely contribute to lack of fish habitat
- Hardened stream crossings and managing erosion and sedimentation in project area is important

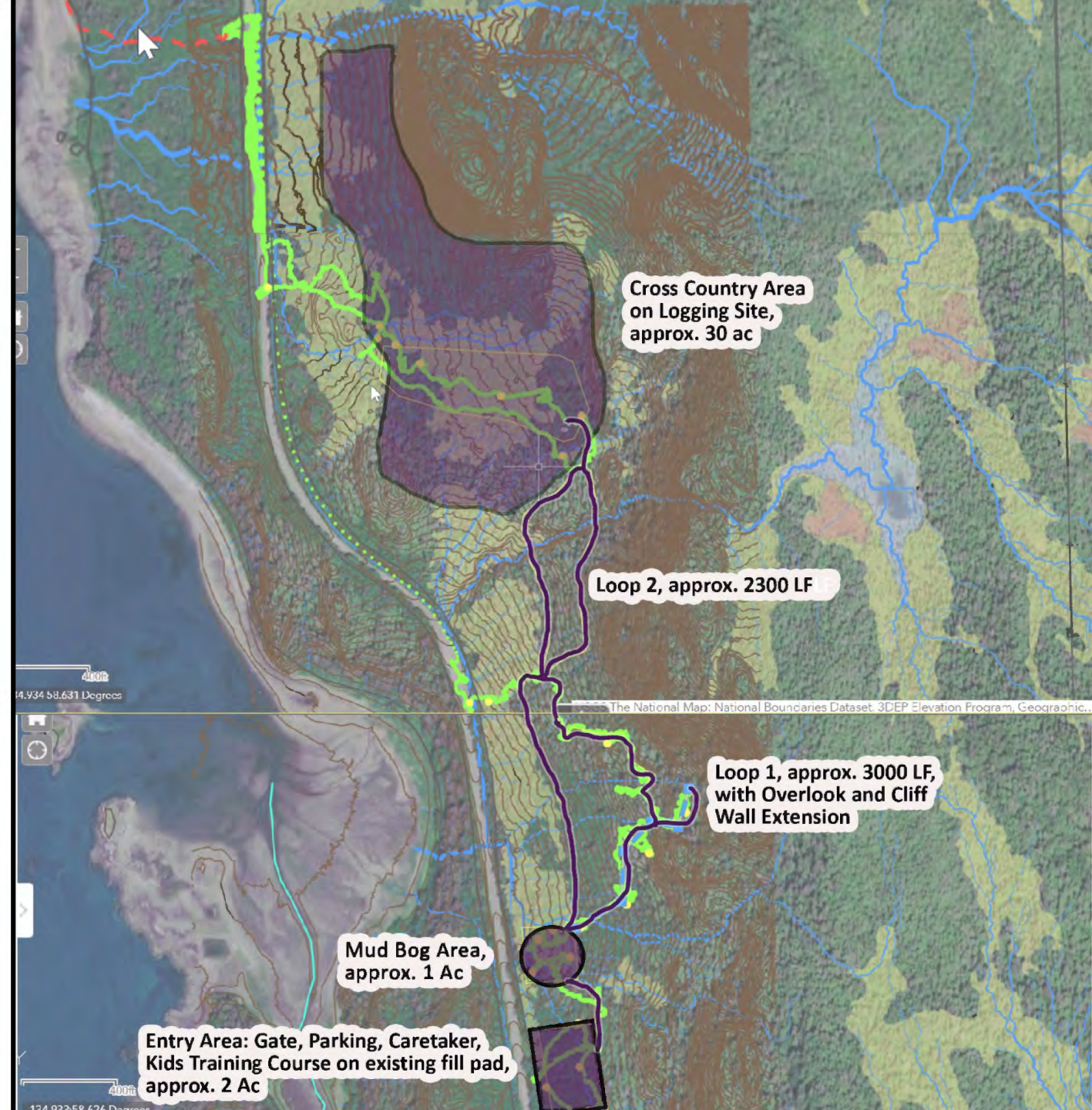


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# Conceptual Site Plan

- Entry Area: Gate, Parking, Caretaker, Kids Training Course
- Loop Trails
- Mud Bog
- Cross Country Area on Logged Site





# Riding Park Features

Entry Area: Gate, Parking, Caretaker Area, Kids Training Course

- Locked Gate
- Large Parking Area for Trucks, Trailers and Cars
- Vault Toilet
- Caretaker RV Area
- Kids Training Area
- Located on existing fill pad, likely from the logging operations
- Approximately 2 acres



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# Loop Trails

## Two Loops, 1 mile

- ATV's, jeeps and dirt bikes
- Approx. 8' wide trails with turnaround and rest areas
- Shot rock as needed and D1 cap, culverts or bridges over drainages and creeks
- Features a short extension to an overlook area that has a cliff wall at its back, area for a turnaround



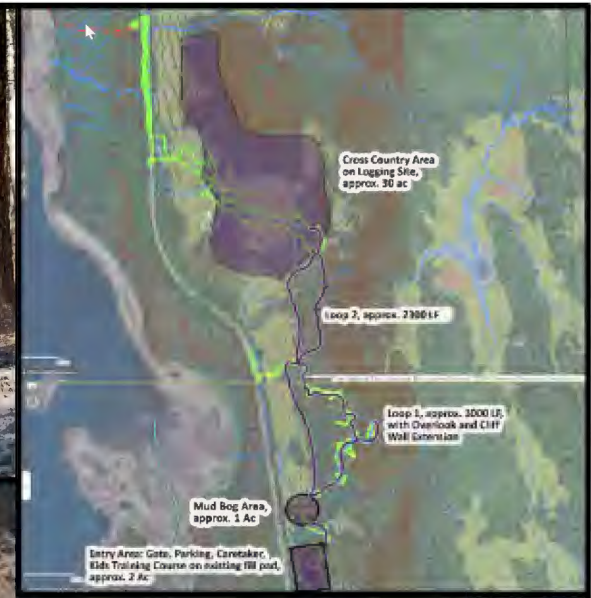
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# Mud Bog

Designed Wet Area for mud play, 1 acre

- Area to allow for play in mud
- May stabilize bottom with rock pad
- Will require good access if machines get stuck for retrieval, important to be near parking lot area
- Stormwater filtration downhill end



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# Cross Country

## Old Logged Area as Open Area, approx. 30 acres

- Open riding in forest, no trail development
- Located in old logged area, dozer tracks and roads still found in this area
- No fill required for free riding
- Stormwater catchment, treatment and filtration at downhill end
- May create a blocked service road to access the northern free style area for emergency and maintenance access
- Establish clear boundaries using site features, topography and installed elements



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# Operations and Management

## JORA Operates Facility

- Caretaker resides at site and opens and closes gate
- Closed in Winter
- Permit fee for use goes to maintenance and upkeep
- Opportunities for events, classes, programming
- Volunteer Days (litter pick up, drainage/erosion maintenance, etc.)
- Build a Juneau ORV community and stewardship culture



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# Operations and Management

## JORA – CBJ Partnership

- Create MOA similar to Hank Harmon Public Range or Community Gardens
- Approve operational rules
- Require compliance with permits and applicable federal, state and local laws
- Perform Annual Reports and Regular Site Visits
- Require Insurance
- Review and Approve Construction and Development Plans
- Establish Maintenance Requirements
- Review and Approve Facility Plan, Maps, Project limits, Site Boundaries, Signage



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# Next Steps

## Public Process

1. Request approval for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile. Support for this approval is being requested of the Lands, Housing and Economic Development Committee, prior to being considered by the Assembly. The PRAC unanimously recommended support at their April 5, 2022 meeting.
2. Permit application for a Conditional Use Permit to the Planning Commission for the park. CBJ Parks and Recreation Department and JORA would be joint applicants.
3. Ordinance allowing CBJ Parks and Recreation to partner with JORA on the development of the park. The ordinance is needed to allow for a partnership that could include JORA operating a park and charging fees on public land then procuring services and materials to maintain that land.

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# Next Steps

## Permitting, Design and Construction

- Perform wetland delineation, apply for Army Corps of Engineers permit, work with resource agencies on other permits and environmental requirements, perform additional studies as needed
- Design development and Conditional Use Permit Application with CBJ
- With permits, agreements and ordinance with CBJ in place, construction can begin

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# Next Steps

## Funding

- Grants – JORA and Trail Mix applying for grants
  - T.R.A.I.L.S, up to \$10,000, Received!
  - Trails Trust, average \$15,000-\$30,000
  - State Recreational Trails Program (RTP) dedicated to motorized, safety and education projects in FY2022, up to \$300,000 (application FY23 may be from CBJ)
- Private Donations - JORA is a non profit and may outreach for private donations to support their work
- Existing CBJ CIP – Dedicated to an Off – Highway Vehicle Park, \$250,000,
  - 2012 funding approved by voters from 3% temporary sales tax for the 35 mile parcel development
  - FY12-FY14 Assembly allocated sales tax funding for an OHV park



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# Recommendation

Staff requests the following recommendation from the LHED:

The Lands, Housing and Economic Development Committee recommends to the Assembly support for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.

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This is a Memorandum of Agreement between the City & Borough of Juneau (CBJ) and the Juneau Convention & Visitors Bureau, d/b/a Travel Juneau ("Travel Juneau"). The CBJ is providing Travel Juneau with grant funding from Hotel Bed Tax as partial funding for ongoing destination marketing and visitor services. The dollar amount shown below represents the maximum amount granted for the fiscal year.

#### **Grantor/Grantee Communications and Contacts**

The following addresses will be used for all written communications:

City and Borough of Juneau  
Daisy Hamby, Grants  
155 S. Seward Street  
Juneau, AK 99801  
907.586-5215, Ext 4064  
[grants@juneau.org](mailto:grants@juneau.org)

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#### **Scope of the Program**

Travel Juneau's mission is to market Juneau to conventions, groups, and independent travelers. Travel Juneau shall perform all Scope of Program obligations in accordance with the terms and conditions of this agreement, including any specific grant program requirements and directives from the CBJ and applicable law.

#### **Section 1. TRAVEL JUNEAU DUTIES**

Travel Juneau shall provide the following services for Juneau:

1. Develop and deliver destination marketing for the CBJ, focusing on fully independent travelers (FITs), groups, and meeting planners. Campaigns will include in-state, domestic, and international travelers and will include digital, limited print, social, and video platforms. Destination marketing will incorporate appropriate Tlingit visual and language elements and will support cultural tourism.
2. In marketing Juneau as a meetings and convention destination, provide planner services including, but not limited to, full bids, bid hotel room bids and rates, catering bids and rates, service referrals, familiarization tours to qualified planners, and event promotion.
3. Market and sell Centennial Hall Convention Center to meeting planners; collaborate with facility staff to help ensure ease of booking and delivery of events and services.
4. Develop and deliver a comprehensive array of accurate visitor information via destination website, mobile app, phone, face-to-face, and via online inquiry.
5. Staff visitor information centers during the regular tour season.
6. Provide additional marketing and promotional opportunities to local visitor industry businesses.

7. Engage with the Alaska Travel Industry Association to ensure Juneau is represented in their ongoing national and international marketing programs.
8. Work with a variety of local organizations to encourage entrepreneurship and small business development in the visitor industry.
9. Maintain working relationships with visitor industry transportation provider to maintain and improve access to Juneau and Southeast.
10. Collaborate with state and regional tourism related groups, committees, and commissions.

## **Section 2. PERFORMANCE METRICS**

Travel Juneau will set goals toward, and track/report the following metrics/analytics.

A. Number YTD of the following persons visiting Juneau:

- Meeting planners participating in Travel Juneau-sponsored FAMs
- Number of organizations who have sent one or more persons to scout and assess Juneau 's suitability as a destination for their events or conventions
- Tour and cruise operators participating in Travel Juneau-sponsored FAMs
- Number of travel writers meeting with Travel Juneau staff while on visits to Juneau or participating in Travel Juneau-sponsored FAMs

B. Number YTD of trade shows attended by Travel Juneau's staff and number of resulting leads as follows:

- international trade shows and number of resulting DM leads
- travel agent and tour operator appointments held
- domestic trade shows and number of resulting leads for DM and CS

C. Travel Juneau's website statistics:

- YTD unique users to traveljuneau.com
- YTD average length of time on site
- YTD number of requests for Juneau visitor information

D. YTD social media engagement across all platforms (e.g., FB, IG, Twitter, YouTube, TikTok)

E. YTD media reach and Advertising Equivalency (earned media)

F. Confirmed bookings and estimated economic impact (EEI) for all meetings, conventions, conferences and similar events secured through Travel Juneau marketing efforts for FY23 and each of the next three fiscal years.

G. All pending and confirmed Travel Juneau-secured business in the pipeline and the total pending and confirmed EEI.

## **Section 3. FUNDING**

A. The CBJ will provide up to \$\$ [TBD] in grant funding to Travel Juneau. The grant funding is to be used for actual program costs towards the scope of this agreement.

B. Payment Schedule: Travel Juneau will be paid in four equal quarterly payments for each fiscal quarter. Travel Juneau shall submit a request for payment with its quarterly activity report as provided under this agreement.

C. Travel Juneau agrees to refund all CBJ advanced grant funds not utilized for the scope of work and may request to defer unspent funding to support the next fiscal year's budget.

D. Travel Juneau may earn additional income or receive outside grant funding to augment the two CBJ grants. Travel Juneau financials shall reflect all revenue sources.

#### **Section 4. REPORTING AND RECORD KEEPING**

A. Travel Juneau shall provide to CBJ's Grants Administration office quarterly reports of performance metrics and a year-to-date (YTD) spending summary. These will be reported in tables showing goals vs year-to-date (YTD) as well as year-over-year (YOY), as appropriate or known. A narrative highlighting marketing work will accompany the reports.

Reports are due as close as possible to July 1, October 1, January 1, and April 1 of the fiscal year.

B. Using best practices for the non-profit industry and under guidance from third party accountants, Travel Juneau will retain paper and electronic documentation related to all accounts payable and receivable, payroll, and federal/state/local taxes.

C. Annually, and through an independent accounting firm, Travel Juneau shall undergo an Agreed Upon Procedures (AUP) accounting process to confirm that all appropriate bookkeeping processes are being followed. Results of the AUP will be available to the CBJ Grants Administrator.

D. Travel Juneau will provide a quarterly update and report to the Lands, Housing, and Economic Development Committee.

#### **Section 5. INSURANCE**

Travel Juneau will maintain insurance coverage in the following areas:

- Worker's Compensation/Employer's Liability
- Commercial General Liability
- Rental property liability and damage

#### **Section 6. TRAVEL JUNEAU GOVERNANCE**

All seats on Travel Juneau's Board of Directors, in addition to the two seats appointed by the mayor, will be approved through the CBJ Human Resources Committee and the CBJ Assembly.

/signatures/



# Assembly Goals 2022

Assembly Goals set at  
December 4, 2021 retreat

## 1. Housing - Assure adequate and affordable housing for all CBJ residents

AA*	Implementing Actions	Responsibility	Notes:
A	P	Revise and improve Title 49 to facilitate housing	Assembly, Planning Commission, Manager's Office, CDD
B	P/F	Implement projects & strategies that advance the goals of the Housing Action Plan	Assembly, Manager's Office
C	P/F/O	Continue a robust use of the Affordable Housing Fund and its sustainability	Assembly, Manager's Office
D	P/F	Reduce barriers to downtown housing development	Assembly, Manager's Office, CDD

## 2. Economic Development - Assure Juneau has a vibrant, diverse local economy

AA*	Implementing Actions	Responsibility	Notes:
A	F/O	Update the Comprehensive Plan	Assembly, Planning Commission, Manager's Office, CDD
B	O	Adopt and implement strategies developed by the Visitor Industry Task Force to mitigate impacts & increase economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors
C	P/F/O	Examine options for a tourism governing structure that mitigates impacts & increases economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors
D	P/F/O/S	Implement project strategy for Juneau Economic Plan, including revitalizing downtown, with regular updates	Assembly, Manager's Office
E	F	Explore financing for the Capital Civic Center	Assembly, Manager's Office, Finance
F	P/F/S	Support Eaglecrest Summer Operations Task Force & self-sufficiency of Eaglecrest	Assembly, Manager's Office, Eaglecrest
G	P/F	Pursue and plan for West Douglas and Channel Crossing	Assembly, CDD, Planning Commission, Manager's Office

## 3. Sustainable Budget and Organization - Assure CBJ is able to deliver services in a cost efficient and effective manner that meets the needs of the community

AA*	Implementing Actions	Responsibility	Notes:
A	P/F	Develop strategy for fund balance and protect restricted budget reserve	Assembly, Manager's Office, Finance
B	P/F	Continue to evaluate sales tax structure including equity and evaluate removing sales tax on food	Assembly, Manager's Office, Finance
C	P	Long term strategic planning for CIPs	Assembly, Manager's Office, EPW
D	P/F	Reduce mil rate as appropriate	Assembly, Manager's Office, Finance
E	F/O	Allocate resources to implement Assembly goals	Assembly, Manager's Office, Finance
F	F/O	Maintain Assembly focus on deferred maintenance including BRH and JSD.	Assembly, Manager's Office, EPW, all operating departments with facilities

\*Assembly Action to Move Forward: P = Policy Development, F = Funding, S = Support, O = Operational Issue

## Assembly Goals 2022

Assembly Goals set at  
December 4, 2021 retreat

### 4. Community, Wellness, and Public Safety - Juneau is safe and welcoming for all citizens

	AA*	Implementing Actions	Responsibility	Notes:
A	P/O/S	Acknowledge and honor Juneau's indigenous culture, place names, naming policy, and recognize Elizabeth Peratrovich Day	Assembly, Manager's Office	
B	P/S	Explore government to government relations with tribes	Assembly, Manager's Office	
C	P/F/O	Examine social service funding levels and process	Assembly, Manager's Office	

### 5. Sustainable Community - Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.

	AA*	Implementing Actions	Responsibility	Notes:
A	P/O	Develop a zero waste or waste reduction plan	Assembly, Manager's Office, EPW, Finance	
B	P/O	Develop strategy to measure, track and reduce energy consumption.	Assembly, Manager's Office, all departments	
C	P/O/F	Implement projects and strategies that advance the goal of reliance on 80% of renewable energy sources by 2045	Assembly, Manager's Office, all departments	
D	P/F	Develop a climate change adaptation plan	Assembly, Manager's Office	
E	P/O/F	Develop strategy to reduce abandoned/junked vehicles	Assembly, Manager's Office, EPW, Law, P&R, D&H	

\*Assembly Action to Move Forward: P = Policy Development, F = Funding , S = Support, O = Operational Issue