



**City and Borough of Wrangell
Borough Assembly Meeting
AGENDA**

June 25, 2013 – 7:00 p.m.

Location: Assembly Chambers, City Hall

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Wilma Stokes
- b. INVOCATION to be given by a member of the Baha'i Faith
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

2. ROLL CALL

3. AMENDMENTS TO THE AGENDA

4. CONFLICT OF INTEREST

5. CONSENT AGENDA

- a. Items (*) 6a, 7a, 7b & 7c

6. APPROVAL OF MINUTES

- *a. Minutes of the Regular Assembly meeting held May 28, 2013

7. COMMUNICATIONS

- *a. Minutes of the Regular School Board meeting held April 15, 2013
- *b. Minutes of the Regular Port Commission meeting held January, 3, 2013;
Minutes of the Regular Port Commission meeting held February 11, 2013;
Minutes of the Regular Port Commission meeting held March 11, 2013;
Minutes of the Regular Port Commission meeting held April 4, 2013; Minutes
of the Regular Port Commission meeting held May 2, 2013
- *c. Minutes of the Regular Parks & Recreation meeting held May 1, 2013

8. BOROUGH MANAGER'S REPORT

9. BOROUGH CLERK'S FILE

10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

- a. Reports by Assembly Members
- b. Appointment to fill the vacancy on the Planning & Zoning Commission

11. PERSONS TO BE HEARD

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA TO ADJUST THE RATE OF CONSUMER SALES TAX LEVIED WITHIN THE CITY AND BOROUGH OF WRANGELL, ALASKA (*first reading*)
- b. Approval of Boat Yard Lot Leases; Lots 5, 6 & 7, located in the Wrangell Marine Service Center Area
- c. Discussion and possible action relating to a Special Public Notice POA-2012-138 – Southeast Watershed Coalition Mitigation Fund
- d. Approval of the Senior Property Tax Exemption for Nadine Phillips
- e. RESOLUTION NO. 06-13-1279: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA APPROVING A REVISION TO THE PERSONNEL HANDBOOK TITLED PERSONNEL POLICY, AND PROVIDING FOR AN EFFECTIVE DATE
- f. Acceptance of the resignation from the Borough Manager

14. ATTORNEY'S FILE

15. EXECUTIVE SESSION

- a. Borough Clerk's Evaluation
- b. Discussion regarding possible replacement of the Borough Manager

16. ADJOURNMENT

Agenda Items 1 - 6

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

ITEM NO. 1 CALL TO ORDER:

INFORMATION: *The Mayor, by code, is required to call the meeting to order at 7:00 p.m. in the Borough Assembly Chambers. Special meetings or continued meetings may be called for at differing times but at the same location. Notice of such will be required by the Borough Clerk. The Mayor will call the meeting to order according to such special or continued meeting notice. At all meetings of the assembly, four assembly members or three members and the mayor shall constitute a quorum for the transaction of business, but a smaller number less than a quorum may adjourn a meeting to a later date.*

RECOMMENDED ACTION:

The Mayor, as presiding officer, is to call the meeting of the Borough Assembly to order, with the following actions to follow:

- a. Pledge of Allegiance to be given by Assembly Member Wilma Stokes
- b. Invocation to be given
- c. Ceremonial Matters — *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

ITEM NO. 2 ROLL CALL – BOROUGH CLERK:

INFORMATION: *The Borough Clerk shall conduct a roll call of each elected and duly qualified Assembly Member. Such call shall result in an entry of those present or absent from the meeting. The roll call is primarily utilized in determining if sufficient member(s) are present to conduct a meeting. The Borough Clerk may randomly change the conduct of the roll to be fair to the members of the governing body unless the council determined an adopted procedure for roll call which is different than currently in use.*

RECOMMENDED ACTION:

Borough Clerk to conduct a roll call by voice vote. Each member to signify by saying here, present (or equal) to give evidence of attendance.

ITEM NO. 3 AMENDMENTS TO THE AGENDA:

INFORMATION: *The assembly may amend the agenda at the beginning of its meeting. The outline of the agenda shall be as from time to time prescribed and amended by resolution of the assembly. (WMC 3.04.100)*

RECOMMENDED ACTION:

The Mayor should request of the members if there are any amendments to the posted agenda. ***THE MAYOR MAY RULE ON ANY REQUEST OR THE ASSEMBLY MEMBERS MAY VOTE ON EACH AMENDMENT.***

ITEM NO. 4 CONFLICT OF INTEREST:

INFORMATION: *The purpose of this agenda item is to set reasonable standards of conduct for elected and appointed public officials and for city employees, so that the public may be assured that its trust in such persons is well placed and that the officials and employees themselves are aware of the high standards of conduct demanded of persons in like office and position.*

An elected city official may not participate in any official action in which he/she or a member of his/her household has a substantial financial interest.

ITEM NO. 5 CONSENT AGENDA:

INFORMATION: *Items listed on the Consent Agenda or marked with an asterisk (*) are considered part of the Consent Agenda and will be passed in one motion unless the item has been removed by an Assembly Member or the Mayor and placed on the regular agenda.*

RECOMMENDED ACTION:

Move to approve those Agenda items listed under the Consent Agenda and those marked with an asterisk (*) Items:

6a, 7a, 7b & 7c

ITEM NO. 6 APPROVAL OF MINUTES:

INFORMATION:

6a Minutes of the Regular Assembly meeting held May 28, 2013

**Minutes of Regular Assembly Meeting
Held on May 28, 2013**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., May 28, 2013, in the Borough Assembly Chambers. Assembly Members Stough, McCloskey, Wiederspohn, Jamieson, Christian and Stokes were present. Borough Manager Timothy Rooney and Borough Clerk Kim Flores were also in attendance.

Pledge of Allegiance was led by Assembly Member Christie Jamieson.

Invocation was given by Clay Hammer.

CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

There were no ceremonial matters.

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

CONFLICT OF INTEREST

There were no conflicts of interest declared.

CONSENT AGENDA

Moved by Stough, seconded by Jamieson, to approve Consent Agenda Items marked with an (*) asterisk; 6a, 7a & 7b.

APPROVAL OF MINUTES

*6a Minutes of the Regular Assembly meeting held April 23, 2013 were approved, as presented.

COMMUNICATIONS

*7a Minutes of the Regular School Board meeting held February 18, 2013; Minutes of the Regular School Board meeting held March 11, 2013; Minutes of the Regular School Board meeting held March 21, 2013; School Board Action taken at the Regular meeting held May 13, 2013

*7b Department of the Army, Corps of Engineers Alaska District - Special Public Notice (SPN) POA-2012-138 – SE Alaska Watershed Coalition Mitigation Fund

Assembly Member Christian asked that item *7b be removed from the Consent Agenda and be added to the Agenda for discussion and possible action at the next Regular Assembly meeting. He stated that he had read through the Public Notice from the U.S. Army Corps of Engineers; would cost government agencies more money to mitigate wetlands throughout Southeast; if the City were to apply for a fill permit in the future, it would cost the City more

money than it would cost now; not sure if the City of Wrangell should weigh in on this Public Notice.

Assembly Member Jamieson stated that since she was the maker of the motion, she had no objection to this item being removed from the Consent Agenda and being added to the Agenda for next Regular Assembly meeting.

As there were no other objections by the Assembly, item *7b was removed from the Consent Agenda, and will be placed on the Agenda - under New Business - for the next Regular Assembly meeting for discussion and possible action.

Motion approved unanimously by polled vote.

BOROUGH MANAGER'S REPORT

Borough Manager Rooney's report was provided.

- Administrative –FY 2013-14 Budget; WMC Replacement Project; City and Borough of Wrangell v. Selle-Rea, Robinson, Bjorge, McGee, Nelson, Ettefaugh, Rhinehart; Technology Committee; Holiday Closures; Upcoming Travel
- Capital Projects – Marine Service Center Concrete Paving, Phase II
- Economic Development –Brass Tax Business Basics
- Electric – Tree Clearing; Tyee Maintenance Outage; Tyee Transmission Line Pole Replacement; Meteorological Tower Placement
- Library – Summer Reading Program
- Museum – Exhibit; Collections Storage Area; Gift Shop
- Parks & Recreation – Safety Grant; Community Center; Summer Recreation Program; Adult Recreation Program
- Public Works – Household Hazardous Waste

In addition to Manager Rooney's written report, he stated that he had passed out an email to the Assembly saying that Ms. Trevino, USDA, would not be coming to Wrangell; Mr. Perkins, USDA, requested that Manager Rooney and Marla Sanger, WMC, meet with Ms. Trevino in Ketchikan on Friday, June 7, 2013.

Manager Rooney said that he felt that it was important for the USDA to see that the Hospital and the City were in "lock step" with regards to the new hospital project.

Manager Rooney also stated that AICS would be having an open house tomorrow from 6:00 p.m. to 8:00 p.m. He extended an invitation to the Assembly and the Community to stop by and see the new clinic.

Assembly Member Stough asked if there was a motion needed for the Manager's travel to Ketchikan to meet with Ms. Trevino.

Manager Rooney said that the funding for this travel would be coming from the hospital grant project funds.

Assembly Member Jamieson said that since the Manager had reported what he was doing to the Assembly, she didn't feel that there was a need for a motion.

Mayor Jack agreed that a motion was not necessary.

BOROUGH CLERK'S FILE

Borough Clerk Flores's report was provided.

- Upcoming dates to remember
- Borough Clerk Traveling – Tacoma WA. – June 8th to June 22nd
- Upcoming Assembly Travel – AML Summer Legislative Meeting in August – Assembly Members Christian and Stough, and Mayor Jack attending

Clerk Flores said that if there were any other Assembly Members who were interested in attending the AML Summer Legislative Meeting to be held in Valdez in August, to please let her know. She also stated that airline and hotel reservations were limited.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

10b Appointment to fill the vacancies on the Planning & Zoning Commission

Mayor Jack stated that there was one letter of interest received from Greg Knight.

Mayor Jack said that if there were no objections by the Assembly, he would appoint Greg Knight to fill the vacancy on the Planning and Zoning Commission for the term ending October 2013.

The Assembly thanked Mr. Knight.

There were no objections from the Assembly.

10c Appointment to fill the vacancy on the Economic Development Committee

Mayor Jack stated that there was one letter of interest received from Cyni Waddington.

Mayor Jack said that if there were no objections by the Assembly, he would appoint Cyni Waddington to fill the vacancy on the Economic Development Committee for the term ending October 2015.

Mayor Jack thanked Ms. Waddington for submitting her letter of interest.

There were no objections from the Assembly.

PERSONS TO BE HEARD

There were no persons to be heard.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

13a PROPOSED RESOLUTION No. 05-13-1275: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, LEVYING A GENERAL TAX FOR SCHOOL AND MUNICIPAL PURPOSES UPON ALL TAXABLE PROPERTY WITHIN THE BOROUGH FOR THE TAX YEAR 2013 PURSUANT TO WRANGELL MUNICIPAL CODE SECTION 5.04.010; PROVIDING FOR THE COLLECTION OF TAXES DUE IN 2013 AND PRESCRIBING PENALTIES AND INTEREST FOR DELINQUENT TAXES

Moved by Jamieson, seconded by Stough, to adopt resolution 05-13-1275, as presented.

Assembly Member Jamieson stated that there was a memorandum attached to this item from Finance Director, Jeff Jabusch.

Assembly Member Christian expressed that this resolution would set the mill rate at 12.75 for the next tax year, 2013.

Motion approved unanimously by polled vote.

13b PROPOSED RESOLUTION No. 05-13-1276: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADOPTING THE BUDGET FOR ALL FUNDS OF THE CITY OF WRANGELL, ALASKA, FOR THE FISCAL YEAR 2013-2014

Moved by Stough, seconded by McCloskey, to adopt the resolution.

Manager Rooney stated that there had been a Public Hearing for the Budget; there were two citizens who spoke in favor of the budget, as presented; a draft budget had been provided.

Manager Rooney reported that at the time of the Public Hearing, there were a few unknown items. He reported on those items:

- Health insurance increase was set at 37%; the City's Health Insurance Specialist was still looking at options to bring the cost down; still did not have that information; 37% increase was the worst case scenario.

- Rural Secure Schools funding was in the budget as receiving 75% of that funding from the State at the 2013 level; hoping for more than that; however, not expecting less than that amount.
- Federal Payment in lieu of Taxes was reduced 5% for payment; would receive that funding in June, 2013; not known if the City would continue to receive this funding for the 2014 fiscal year; estimated a 25% reduction in the upcoming 2014 fiscal year.
- The Board of Equalization property tax revenue had increased \$6,960.
- The Cemetery fund line item was corrected from \$10,000 to \$11,000.
- The Transient tax sheet had not been included in the original draft budget, but was now included.
- With the Proposition to lower sales taxes being on the ballot for the upcoming election in October, 2013, the City outlined a contingency plan which could be found on page 44a in the budget.

Manager Rooney also said that the mill rate would remain at 12.75%; this would be the third year in a row that this mill rate stood despite voter approval to raise it to 13%.

Manager Rooney said that Staff would recommend approval of the budget.

Assembly Member Christian said that in the case that there was a reduction in revenue, the reductions were listed on page 44a in the draft budget; if the reduction in revenue did occur, he would like to see those proposed cuts come back to the Assembly for approval.

Assembly Member Christian said that he thought that there might not be as much of a reduction as proposed; he believed those proposed cuts should come back to the Assembly for approval.

Moved by Christian, seconded by Stough, to amend the main motion to remove page 44a from the main budget.

Assembly Member Jamieson stated that there was already a main motion on the floor.

Assembly Member Christian said that he was amending the main motion to remove page 44a from the budget.

Manager Rooney stated that the reason why Staff included page 44a was to give the voters an idea – when they went to the polls – what cuts Staff would be recommending. He said that those cuts were Staff's recommendations. He also said that the Borough Assembly could change those recommended cuts – if they wanted to – at the time that the tax was implemented.

Assembly Member Christian said “correct”, that’s why he thought it should come back to the Borough Assembly for approval and potential changes at that time.

Assembly Member Stough said that he had seconded the amendment for that reason; said it depended on the voters; if it did happen, the Assembly could revisit it; may have to look at it in depth.

Assembly Member Stough further said that he would rather see the proposed cuts come back to the Assembly for discussion.

Mayor Jack asked Finance Director, Jeff Jabusch to weigh in on the issue.

Mr. Jabusch said that when there were School Bonds on the ballot, the Bonding Attorney required the City to provide full disclosure of what the ramifications of the vote would be if the voter voted “yes” or voted “no”. He said that Staff felt that this was a similar situation; the voters should know the outcome of what would happen if they did vote “yes” or “no”.

Mr. Jabusch also said that with the School Bond, the City not only had to show what the 20% liability to the City’s would be if the State funded the program, but the City also had to show what the City would be responsible for if the State did not fund the program; full disclosure was required to give to the voters, because the issue had to do with money; Staff felt that this situation was very similar to a Bonding issue.

Mr. Jabusch stated that by providing page 44a to the public, full disclosure was given. He said that the voters need to have some idea of what will happen either way. He said that if you don’t provide any information to the voters of what will happen either way, they cannot make an educated decision.

Mr. Jabusch further stated that this was the right thing to do; the City needs to stay consistent in disclosing the outcome one way or another for financial issues that were placed on the ballot to be voted on.

Assembly Member Jamieson stated that she agreed with Mr. Jabusch. She said that throughout the municipalities in Alaska, it was very common to have the ballot proposition in full text on the ballot; this was so that you could present the facts; if the voter voted one way – what the outcome would be; if the voter voted another way – what that outcome would be.

Assembly Member Jamieson said that for something like the Proposition to lower sales tax, there was a need for the disclosure.

Assembly Member Jamieson said that when the Solid Waste issue was brought before the voters, there was a voter’s pamphlet printed and made available to the public at City Hall and also mailed to all of the P.O. Boxes in Wrangell.

Manager Rooney said “yes”, that was when the City brought the question to the voters to join SEASWA.

Assembly Member Jamieson said that this was done so that when the voters went to the polls, they had all of the facts on the Proposition.

Assembly Member Stough said that he understood what Assembly Member Christian was saying; the information has been out there; what the Assembly was doing was passing the budget; when this goes on the ballot, this has already had public discussion and there has been ample time for the public to come and discuss it; the Assembly was passing the budget at the current 12.75 mills; would be up to the voters.

Amendment failed with Stough, Stokes and Christian voting yea; McCloskey, Jamieson, Wiederspohn and Mayor Jack voting nay.

Main motion passed with Wiederspohn, Stokes, Jamieson, McCloskey, Stough and Mayor Jack voting yea; Christian voting nay.

13c PROPOSED RESOLUTION No. 05-13-1277: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADOPTING THE UPDATED BOROUGH RECORDS RETENTION SCHEDULE; REPEALING RESOLUTION 01-01-843 AND THE 1992 GENERAL RECORDS RETENTION SCHEDULE; AND PROVIDING FOR AN EFFECTIVE DATE

Moved by McCloskey, seconded by Jamieson, to adopt the resolution.

Assembly Member Jamieson thanked Clerk Flores for bringing this forward. She said that it was long overdue.

Motion approved unanimously by polled vote.

13d PROPOSED RESOLUTION No. 05-13-1278: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, FORMALLY ACCEPTING GRANT NO. MG91721 FROM THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) IN THE AMOUNT OF \$565,485 FOR THE PROJECT ENTITLED CASSIAR STREET WATER AND SEWER REHABILITATION

Moved by Stough, seconded by Wiederspohn, to adopt the resolution.

Manager Rooney stated that the City had received notification late last year that we had received this grant; this resolution was to say that the City had accepted the grant.

Assembly Member Christian asked if the 30% match (\$242,000.00), amount would be split between the Sewer and Sanitation fund.

Manager Rooney replied that it would be split depending on the portions that came from the different funds.

Assembly Member Christian asked if there were enough reserves to do this.

Manager Rooney answered “yes”.

Motion approved unanimously by polled vote.

13e Approval of the Wrangell Public School Budget for the Fiscal Year 2014

Moved by Jamieson, seconded by Christian, to approve the Wrangell Public School Budget for the Fiscal Year 2014. Motion approved unanimously by polled vote.

13f Approval of a Contract between the City and Borough of Wrangell and the Regional Disposal Company for Solid Waste Disposal and Recycling

Moved by Stough, seconded by Stokes, to authorize the Borough Manager to enter into a contract with the Regional Disposal Company for the Disposal of Solid Waste and Recycling.

Manager Rooney stated that this contract has been brought forward due to a lot of hard work; Mr. Carl Johnson was a current member of SEASWA and had worked very hard with the SEASWA group in obtaining a disposal contract with the Regional Disposal Company; they solicited for RFP's and went through the entire process. He said that SEASWA then had to get all of the participating municipalities to agree to the contract language.

Manager Rooney reported that as a result of this contract, the City of Wrangell would pay about \$110 per ton for refuse; the City currently pays \$135 per ton; cost savings for the Sanitation Department would be approximately \$35,000 annually.

Manager Rooney said that the FY 2013-2014 budget that was adopted this evening was based on the decrease in the sanitation fees.

Motion approved unanimously by polled vote.

13g Approval to cancel the June 11, 2013 Borough Assembly Meeting

Moved by McCloskey, seconded by Wiederspohn, to approve the cancellation of the June 11, 2013 Borough Assembly meeting, and conduct only one meeting on June 25, 2013.

Mayor Jack explained that he would be gone for the June 11, 2013 meeting; also that Assembly Member Christian would be gone.

Assembly Member Jamieson asked Manager Rooney if there was anything of importance that could wait for the June 25th meeting.

Manager Rooney replied that at this time, there was not anything pressing that could not wait until the June 25th meeting. He also said that if something did come up before then, a Special Assembly meeting could be called.

Motion approved unanimously by polled vote.

13h Discussion regarding travel protocol

Mayor Jack said that this item was placed on the agenda due to some questions that had come up regarding travel.

Assembly Member Christian stated that he had received some emails from Manager Rooney, responding to his original email. He said that he didn't realize that when the Clerk's travel was approved, it was not a budgeted item.

Assembly Member Christian said that as an Assembly supervisor, throughout the City, employees had to submit requests for when they would be traveling or needed time off. He stated that Manager Rooney consistently does email the Assembly to let them know when he would be taking time off.

Assembly Member Christian further said that he believed that the request should be brought up and approved at the Assembly Meetings; Manager Rooney approved business travel or time off for the department heads or anyone else who served under him at a supervisory level; he felt that there was plenty of time between meetings to ask for approval.

Assembly Member Christian said that when the Borough Manager was traveling on official Borough business, the general public should know.

Manager Rooney said that the trip that was questioned was not a City trip.

Manager Rooney said that he had checked with other City Manager's in Alaska to see what their protocol on travel was; no other City Managers were required to submit their requests for travel as an Agenda Item for approval by their Assemblies.

Assembly Member Jamieson stated that the money was in the Clerk's budget for the City Clerk's upcoming travel. She further stated that that money was listed under training and had been approved the prior year.

Assembly Member Jamieson said that when she was the Borough Clerk, she had reported to the Assembly in her report when she would be traveling for either business or vacation.

Assembly Member Wiederspohn said that she thinks that the Borough Clerk did that in her last report.

Assembly Member Jamieson said that yes, she did.

Assembly Member Jamieson said that Manager Rooney had been very mindful in all of his Manager Reports; he had given the Assembly a complete update of his schedule, and had also included his timesheet. She said that Manager Rooney was very mindful in keeping the Mayor and Assembly up to date on where he would be at all times.

Assembly Member Jamieson said that she didn't see that there was an issue.

Assembly Member Stough said that when the Assembly first formed the travel sheet, it was to show the Assembly where everyone was traveling to, and when they would be traveling; also if it would be paid for by the City or not; was something to keep the Assembly informed.

Assembly Member McCloskey said that Manager Rooney had been notifying the Assembly in his reports or through email of his upcoming travel; if the travel wasn't using City funds, he shouldn't have to ask for approval; should just have to inform the Assembly that he would be traveling.

Assembly Member McCloskey further said that perhaps the Assembly Members that were traveling to Valdez should get prior Assembly approval as well.

Assembly Member Stough agreed that because there was not anything specified that the Assembly Members would be going on that particular trip, maybe they should have to get approval. He also said that the Manager had control over what trips he used the funds that were allocated in the Manager's budget for travel.

Assembly Member McCloskey said there was a travel report placed in the packet that showed who traveled, and for what purpose.

Assembly Member Jamieson said yes, it was called the travel report; it was provided monthly to the Assembly in the packet.

Mayor Jack stated that he did not ever recall when the Borough Manager had to get prior approval from the Assembly when traveling.

Mayor Jack also said that the Borough Manager was employed under contract; there was no requirement under his contract to get prior approval for travel; if there was to be a requirement, the contract would need to be amended.

Assembly Member Jamieson stated that there were multiple conferences throughout the year that the Borough Manager should be attending; he could utilize all of the tools obtained during those conferences for our community and the Borough Assembly.

Assembly Member Wiederspohn said that whenever she received an email relating to Borough business, she printed it out immediately.

Mr. Jabusch stated that he had worked under thirteen different City Managers and Acting City Managers; had been the Acting Borough Manager at times throughout his career. He said that the way Manager Rooney was handling his travel was consistent with the way that things have occurred in the 35 years that he has been with the City. He said that the Manager usually notified the Assembly of when he would be gone and who would be the Acting Borough Manager while he was away.

Mr. Jabusch said that the Manager had a budget for travel; he was supposed to make the best use of that funding. He said that sometimes trips come up that were unexpected; the Manager doesn't always have the opportunity to obtain prior Assembly approval.

Mr. Jabusch stated that in reviewing Manager Rooney's contract, there were various conferences that were listed in the contract for Manager Rooney to attend.

13i Request from the Special Energy Committee for the approval of a letter to be forwarded to the Petersburg Borough Assembly and the City of Ketchikan Council

Moved by Jamieson, seconded by Christian, to approve forwarding a letter of support of a probationary review of our SEAPA partnership, at the request of the Special Energy Committee, to the Petersburg Borough Assembly and the City of Ketchikan Council.

Assembly Member McCloskey reported that this was the letter that had been drafted after the first Special Energy Committee meeting. She said that this letter was requesting support of a probationary review of SEAPA from Petersburg and Ketchikan; this letter allowed Petersburg and Ketchikan to submit questions on any of SEAPA's infrastructure and operations.

Assembly Member McCloskey said that if Petersburg and/or Ketchikan were not interested in a probationary review, they could send us a letter back saying that they were not interested.

The draft letter was read into the record by Clerk Flores at the request of Mayor Jack.

The Wrangell Special Energy Committee has chosen to make the following recommended letter of invitation to our three partner communities in support of a probationary review of our SEAPA partnership.

Whereas the cities of Ketchikan, Petersburg, and Wrangell have agreed to create the Southeast Alaska Power Agency (SEAPA) with the stipulation of conducting a review no later than December 31, 2014, we feel there exists within the communities enough interest to commission a review of the SEAPA infrastructure and operations with the intent on identifying if there are any favorable changes/enhancements to this Joint Action Agency that could better serve our communities in the years to come.

This is not a request for a review to disband SEAPA, but rather an approach to the agreed upon review as a "probationary review".

We would like to invite the partner communities (Ketchikan and Petersburg) to consider jointly participating in conducting a probationary review of SEAPA with the following actions:

1. The communities request that SEAPA pay for this independent review.
2. Each community solicit questions and comments from within their communities at-large to present to a mutually agreed upon qualified independent contractor (with both electrical and economic knowledge) that can answer the questions in regards to best practices and structure of (SEAPA).
3. SEAPA board or staff not involve itself in the creation of the independent report (SEAPA board and staff will, of course have access to the report at the time the communities are presented with the report).
4. The communities review the report and consider any recommendations, if any, that they feel appropriate to present to the SEAPA board for consideration.

Sincerely,

David L. Jack, Mayor
City & Borough of Wrangell

Assembly Member Christian asked that the words “commission and” from item no. 1 in the letter be removed.

Assembly Member Christian stated that to ask SEAPA to pay for the review would be okay, but when you commission something, you have the ability to set out the parameters and dictate what the study would look at; believed that it should be up to the three communities to determine the parameters.

Assembly Member Jamieson stated that as the maker of the motion, she would agree to striking the words “commission and” from the letter.

Motion approved unanimously by polled vote.

ATTORNEY'S FILE

Summary provided to the Borough Assembly in their Assembly packet.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT: 7:50 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Flores, Borough Clerk

Agenda Item 7

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

June 25, 2013

COMMUNICATIONS:

INFORMATION: The Assembly may receive items for Communications, reasons only which do not require action. This is an avenue to keep the Assembly informed, for the public to enter items on the record, if necessary. The Assembly also receives agenda communications directly by their constituents, Borough Manager, other agencies' Officers and Department Directors.

A MAIL BOX IS ALSO AVAILABLE IN THE BOROUGH CLERK'S OFFICE FOR EACH MEMBER OF THE ASSEMBLY AND SHOULD BE CHECKED ON A ROUTINE SCHEDULE.

All items appearing under Communications on the Agenda have been approved under the Consent Agenda unless removed.

- *a Minutes of the Regular School Board meeting held April 15, 2013**
- *b Minutes of the Regular Port Commission meeting held January, 3, 2013; Minutes of the Regular Port Commission meeting held February 11, 2013; Minutes of the Regular Port Commission meeting held March 11, 2013; Minutes of the Regular Port Commission meeting held April 4, 2013; Minutes of the Regular Port Commission meeting held May 2, 2013**
- *c Minutes of the Regular Parks & Recreation Board meeting held May 1, 2013**

Item 7a

CITY CLERK
JUN 03 2013
RECEIVED

PROCEEDINGS

MINUTES WRANGELL SCHOOL BOARD REGULAR MEETING

April 15, 2013, 7:00 P.M.

Evergreen Elementary School Room 101-Intermediate

School Board President Susan Eagle called the regular meeting of the Wrangell Public School Board to order at 7:01 P.M. on Monday, April 15, 2013

CALL TO ORDER

A quorum was determined with the following school board members present: Susan Eagle, Tammy Groshong, Peter Helgeson and Krissy Smith. Rinda Howell was absent. Also present was Superintendent Richard Rhodes, Principals Therese Ashton & Monty Bunn and Recording Secretary Kimberly Powell.

DETERMINE QUORUM

The Pledge of Allegiance was recited, led by Krissy Smith.

PLEDGE OF ALLEGIANCE

Diane O'Brien spoke to the board as a representative of the Elementary School Advisory Committee. She said the Superintendent Rhodes is an active participant of the committee and that is much appreciated. A couple of their topics have included a survey with parents using Survey Monkey to enhance parent communication, the possible formation of a PTA and/or a foundation to provide additional funding for the schools.

**GUESTS TO BE
 HEARD**

There was not a student representative present to report.

**STUDENT
 REPRESENTATIVE
 REPORT**

The agenda was approved as presented.

**APPROVAL OF
 AGENDA**

Motion to accept the items on the consent agenda as presented by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Peter Helgeson: Yes; Krissy Smith: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

**APPROVAL OF
 CONSENT AGENDA**

- Accepted the minutes of the March 11, 2013 Regular Board Meeting
- Approved removing the broken computers from the inventory database.

Information & Reports were accepted by unanimous consent.

**ACCEPTED INFORMATION
 & REPORTS**

Motion to recess into a public hearing to take comments on the progress toward Board Goals, the Strategic Plan and the proposed FY'2014 Budget by Tammy Groshong, seconded by Krissy Smith. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**RECESSED INTO A
 PUBLIC HEARING AT
 7:07 PM**

Diane O'Brien expressed appreciation for the elementary school staff for supporting outside after-school programs. She said that it is really difficult to get items placed in the secondary school bulletins. She would like to see more support at the secondary schools for activities that benefit students.

Reconvened into Regular Session at 7:10 PM

**RECONVENED INTO
 REGULAR SESSION
 AT 7:10 PM
 AMENDED THE 2012-
 2013 SCHOOL
 CALENDAR TO ADD
 MAY 3 AS AN EARLY
 RELEASE DAY**

Motion to amend the 2012-2013 school calendar to add May 3 as an early release day for teacher collaboration and to allow students to take part in the Shakes Island Rededication Ceremony Activities by Krissy Smith, seconded by Peter Helgeson. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

Motion to approve the 2013-2014 school calendar as presented for submittal to the Department of Education & Early Development for final approval by Tammy Groshong, seconded by Krissy Smith. Poll vote: Tammy Groshong: Yes; Peter Helgeson: Yes; Krissy Smith: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE
 2013-2014 SCHOOL
 CALENDAR AS
 PRESENTED**

Motion to adopt the FY'2014 School Budget for submittal to the Borough Assembly for their approval by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Peter Helgeson: Yes; Krissy Smith: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

**ADOPTED THE
FY'2014 SCHOOL
BUDGET**

Motion to approve the application of and accept the Alaska School Salad Bar Mini Grant Award as presented to offer a salad bar to students by Peter Helgeson, seconded by Krissy Smith. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE
APPLICATION AND
AWARD OF THE
ALASKA SCHOOL
SALAD BAR MINI
GRANT**

Motion to accept the Carl Perkins Secondary CTE Grant Award in the amount of \$17,260.00 by Tammy Groshong, seconded by Krissy Smith. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**ACCEPTED THE
CARL PERKINS CTE
GRANT AWARD**

Motion to accept the Fourth R Evaluation Grant Award in the amount of \$1,000.00 by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Peter Helgeson: Yes; Krissy Smith: Yes; Susan Eagle: Yes. Motion approved.

**ACCEPTED THE
FOURTH R
EVALUATION
GRANT AWARD**

Motion to accept the Statewide Future Educators of Alaska Grant Award in the amount of \$7,300.00 by Krissy Smith, seconded by Peter Helgeson. Poll vote: Peter Helgeson: Yes; Krissy Smith: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

**ACCEPTED THE
STATEWIDE
FUTURE
EDUCATORS OF
ALASKA GRANT
AWARD**

Motion to accept the Youth Risk Behavior Survey Grant Award in the amount of \$500 by Tammy Groshong, seconded by Krissy Smith. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**ACCEPTED THE
YOUTH RISK
BEHAVIOR SURVEY
GRANT AWARD**

Motion to approve the Continuation Request for the Alaska Fresh Fruit and Vegetable Program for the school year 2013-2014 by Krissy Smith, seconded by Tammy Groshong. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE
CONTINUATION
REQUEST FOR THE
ALASKA FRESH
FRUIT AND
VEGETABLE
PROGRAM**

Motion to sign a Memorandum of Agreement with the Wrangell Teachers' Association to modify Appendix B of the 2013-2016 Negotiated Agreement as presented by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Peter Helgeson: Yes; Krissy Smith: Yes; Susan Eagle: Yes. Motion approved.

**SIGNED A
MEMORANDUM OF
AGREEMENT WITH
WRANGELL
TEACHERS'
ASSOCIATION**

Motion to offer non-tenured teachers a teaching contract for the 2013-2014 school year as presented by Tammy Groshong, seconded by Peter Helgeson. Poll vote: Peter Helgeson: Yes; Krissy Smith: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

**OFFERED NON-
TENURED
TEACHERS A
TEACHING
CONTRACT**

Motion to approve the contract for Superintendent Rich Rhodes as presented by Krissy Smith, seconded by Tammy Groshong. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE
CONTRACT FOR
SUPERINTENDENT
RHODES**

Motion to offer Lisa Nikodym a contract addendum for the 2013-2014 school year for an additional ten days (five days before school and five days after) at her per diem rate of \$352.09 for a total of \$3,520.90 to complete the responsibilities of school counselor by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

**OFFERED LISA
NIKODYM A
CONTRACT
ADDENDUM FOR AN
ADDITIONAL TEN
DAYS TO
COMPLETE
COUNSELING
DUTIES**

Motion to offer Fred Angerman a contract for the 2013-2014 school year at the appropriate step on the salary schedule by Tammy Groshong, seconded by Peter Helgeson. Poll vote: Tammy Groshong: Yes; Peter Helgeson: Yes; Krissy Smith: Yes; Susan Eagle: Yes. Motion approved.

**OFFERED FRED
ANGERMAN A
CONTRACT FOR
2013-2014**

Motion to offer Dixie Booker a contract for the position of Food Service Director as presented and remove this position from the hourly classified salary schedule by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Peter Helgeson: Yes; Krissy Smith: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

OFFERED DIXIE BOOKER A CONTRACT FOR FOOD SERVICE DIRECTOR

Motion to offer Mrs. Therese Pempek a contract for the position of Housing Coordinator for the 2013-2014 school year in the amount of \$798.00 by Tammy Groshong, seconded by Peter Helgeson. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

OFFERED THERESE PEMPEK A CONTRACT FOR HOUSING COORDINATOR

Motion to offer Pam Roope, Business Manager a contract for the 2013-2014 school year at the appropriate placement on the salary schedule by Krissy Smith, seconded by Peter Helgeson. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

OFFERED PAM ROOPE, BUSINESS MANAGER A CONTRACT FOR 2013-2014

Motion to offer Dave Silva a contract for 63 days during the 2013-2014 school year in the amount of \$362.34 per day for a total of \$22,827.42 to complete the duties of Speech Pathologist by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Peter Helgeson: Yes; Krissy Smith: Yes; Susan Eagle: Yes. Motion approved.

OFFERED DAVE SILVA A CONTRACT AS SPEECH PATHOLOGIST

Presented the retirement of Lori Bauer, Paraprofessional as information.

RESIGNATION OF LORI BAUER

Motion to accept the resignation and allow Susan Brown, Monty Bunness, Vickie Bunness-Taylor, Daniel Roope and Earl Ray Stokes to participate in the Supplemental Employee Retirement Program at the end of the 2013-2014 school year by Krissy Smith, seconded by Tammy Groshong. Poll vote: Peter Helgeson: Yes; Krissy Smith: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE RESIGNATION OF SUSAN BROWN, MONTY BUNNESS, VICKIE BUNNESS-TAYLOR, DAN ROOPE & RAY STOKES

Motion to accept the second reading of Board Policy 4020, Drug, Tobacco & Alcohol-Free Workplace for inclusion in the policy manual by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE SECOND READING OF BOARD POLICY #4020, DRUG, TOBACCO & ALCOHOL FREE WORKPLACE

Motion to accept the first reading of Board Policy #4216, Probationary Status reformatting and reorganizing the language to make it easier to read and understand by Tammy Groshong, seconded by Peter Helgeson. Poll vote: Krissy Smith: Yes; Tammy Groshong: Yes; Peter Helgeson: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE FIRST READING OF BOARD POLICY #4216, PROBATIONARY STATUS

Reviewed School Board Policy:

- BP-4217.2, Resignation
- BP-4218, Termination/Suspension/Disciplinary Action
- BP-4222, Teacher Aides/Paraprofessionals

REVIEWED BOARD POLICY

Motion to accept the second reading of Board Policy #7231, School Board Technology Usage for inclusion in the policy manual by Peter Helgeson, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Peter Helgeson: Yes; Krissy Smith: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE SECOND READING OF BP- 7231, SCHOOL BOARD TECHNOLOGY

Motion to approve the contract with South East Regional Resource Center in the amount of \$33,637.50 to offer psychology and occupational therapy services during the 2013-2014 school year by Tammy Groshong, seconded by Krissy Smith. Poll vote: Peter Helgeson: Yes; Krissy Smith: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

APPROVED THE CONTRACT WITH SERRC FOR PSYCHOLOGY & OCCUPATIONAL THERAPY SERVICES

Reviewed the upcoming dates and meeting announcements.

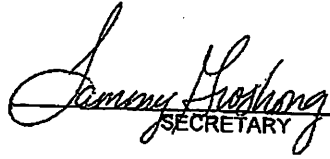
UPCOMING DATES

Board Member Smith said it would be sad to see the five teachers and administrator retire but she's glad that they could benefit from the SERP program.

PRESIDENT'S REMARKS AND COMMENTS FROM BOARD MEMBERS

Meeting Adjourned at 8:03 P.M.

ADJOURNED AT 8:03 P.M.


SECRETARY

**WRANGELL PORT COMMISSION
REGULAR MEETING MINUTES
January 3, 2013**

CALL TO ORDER – The Regular Meeting of the Wrangell Port Commission was called to order at 12:00 p.m. by Vice Chairman Clay Hammer. Commissioners attending were John Yeager and Bill Knecht. Also attending were Harbormaster Greg Meissner and Recording Secretary Carol Bean.

Commissioner Eric Yancey and Chairman Brennon Eagle were absent.

APPROVAL OF MINUTES

December 6, 2012 Regular Meeting Minutes

Minutes approved unanimously by consensus.

AMENDMENTS TO THE AGENDA

None

CORRESPONDENCE

None

PERSONS TO BE HEARD

Job Montoy – Box 161, Wrangell – I want to lease a spot in the mill yard.

Meissner – showed map last meeting of usable space. Once someone comes forward asking for space, we can put space up for bid. Depending on the size required, we have a couple of spaces that will work. You can direct me to put one space up for bid, or all of the spaces available.

Knecht – There are basically four spots left.

Hammer – Job needs to submit a letter of interest and square footage required.

Meissner – I can bring something back for the February meeting. Job understands this is a competitive bid. We could have a short special meeting to approve advertising the lease bid opening, and possibly approve it at the next regular meeting.

Yeager – Do this as soon as possible.

Montoy – February would be better for me.

Meissner – We need to start the process now.

Yeager – Get something to Greg ASAP.

Montoy – Is there preference for someone already working in the yard?

Knecht – We don't have a preference; it just has to be marine related, boat construction or maintenance.

Hammer – Bidders should submit letters of intent if they want to bid.

Yeager – If no one else submits a plan, they should not be able to bid on this.

Meissner – Everyone needs to submit a letter of intent. Do they need to bring at the time of the bid opening or prior?

Hammer – They should qualify to bid.

Steve Miller –If they have an established business, do they automatically qualify?

Meissner – One concern we have had at the beginning; do we consider what is best for the yard, or just take the high bid? Do we want one vendor to take all of the space available in the yard?

Knecht – That is where we should go back to the letters of intent.

Meissner – It would be a detriment to the yard, to have more of the same cluttering up the yard.

Knecht – Get enough backbone to tell them if their stuff doesn't fit in the lease space, move it out of the yard.

Meissner – It is just getting to be a mess.

Yeager – Entertain Job's plan and when it goes out to public bid, require the same letter of intent from all bidders. Secondly, our leases are for marine repair and maintenance, not storage.

Meissner – We are getting too much junk around current leased spaces. Can we exclude existing lease holders?

Hammer – I suggest we table this until we have the whole commission.

Yeager – Make this agenda item for the next meeting.

Meissner – My one fear is to control your land or it will get out of control. I will look into the legal issues.

8. REPORTS

a. Harbormaster

Harbormaster Meissner reported:

Harbormaster's Report January 2013

Marine Service Center- Staff has received the 65% design and has gone over them and is reporting back to PND so they may work towards the 95% stage and on to bid. I will keep you informed as things progress.

I have nothing new to add. Things are going ahead and people are in and out with the holidays. I will bring you all up to speed as things happen.

Staff is working with PND to investigate the 2 boat lift bids. We are trying to be as prudent as can be since it is a lot of money. We don't want to spend more than we have to but don't want to buy a lesser machine either. This may take a couple of weeks to do. We will bring you a recommendation as soon as we can.

Steve Miller and I just returned from San Diego after taking a firsthand look at an Ascom boat lift. We visited the Marine Group Boat Works yard in San Diego and got to look at and operate their 100 ton Ascom machine. The Machine is 8 years old so we were interested to see if it was holding together or falling apart. I am happy to say the machine looked fine. It was sitting next to their 600 ton Marine Travelift which was about 1 ½ years newer and the two machines looked the same. The salty surf breeze has taken its toll on the paint on both machines but neither one worse than the other.

Steve got the chance to operate the machine and we spent time looking all over the machine and under the hood. Overall the machine looked as good as any other machine. That said there are some differences in the way the machine is constructed but it is holding together just fine. After talking to the Vice President of the company (who was in charge of purchasing the equipment) and the operators of the equipment, it was obvious that they love the Ascom and have had no major issues with it including service, although they have had the need for very little.

Their machine has the Italian engine which they have had no issues with at since they purchased the machine in 2005. The tires are Michelin tires which can be bought in the states from a tire dealer and the tires on the 600 ton Marine Travelift were Chinese and when they had more issues with buying them than the other. The machine moves much faster than the Marine Travelift and the straps seem to lift faster on the 100 ton machine at least.

Overall, the Ascom equipment seems to be just fine and as far as we can find out just as reliable and durable as the Marine Travelift. Todd Roberts, who is the individual we talked to at the Marine Group Boat Works and their Vice President and whose job it is to make the company money spoke very highly of the Ascom machine. He visited the factory as well as the Marine Travelift factory and he was impressed with what he saw. He has nothing to gain by telling us one thing or another and he was very clear in that regard but the more he talked the more obvious to me that if he was buying a new machine tomorrow it would be an Ascom. He actually just purchased a new 300 ton hydraulic trailer from Ascom that is under construction.

After talking to the person who is in charge of purchasing the equipment and those who are operating the equipment (both the Marine Travelift and the Ascom) and some others I have talked to in a couple of other yards I have no reservations recommending selecting the bid from Ascom S.P.A.

Commissioners

Yeager – When we look at plaques for Mariner's Memorial, put up one for Chris Cawthorne.

- b. Port and harbor safety concerns**
None

9. UNFINISHED BUSINESS

a. Mariner's Memorial

Nothing to add

b. Approval of Bid for 300 Ton Marine Travel Lift

Meissner – The two bids are \$1.7 million from Marine Travelift and \$1.3 million from Ascom. Steve and I traveled and looked at both lifts. We wanted to see if there was an obvious difference and one was better. They liked the Ascom as much or better than the Marine Travelift. The one we looked at, they loved it and have had no problems, no major issues with the one they have. I see nothing to keep us from approving the purchase from Ascom. Overall with safety, there are no issues. I like the Ascom.

Knecht – What is missing on the Ascom, the stabilizer unit?

Meissner – It has the same stabilizer. The remote system was not as good, but they can configure it the same. The backup system is different. Ascom has an electric backup and we asked for a true redundant control system. We can get this for \$25,000.

Miller – The Ascom machine is a lot faster. It will save a lot of time moving around the yard.

Meissner – It is fast and with four wheel steering this will be a big difference. It comes stock on the system.

Miller – I was completely sold on this machine. It is a nice machine.

Yeager – Is there any training on this?

Meissner – The remote is the only learning curve.

Hammer – I spoke to Commissioner Yancey and he had no problem with Ascom. Chairman Eagle's concerns were the cab with controls on board, and standardize the controls between the two machines.

Meissner – In talking to PND, their general comments are that Europeans build with the same industry standards. He didn't see any issues. We can change the bid specs, to meet the specs we require.

Move by Knecht, seconded by Yeager to approve the bid Contract Award to ASCOM S.P.A. for the 300-ton Marine Vessel Hoist

Motion carried unanimously by poll vote.

Meissner – We can have it painted Wrangell colors.

c. Marine Service Center Improvements

Meissner - We will get a letter of interest from Job Montoy, have a special meeting, and put it out to bid.

10. NEW BUSINESS

None

11. CLOSING

a. Next Agenda Items

- Lease space in yard
- Legality of lease space restrictions
- Mariner's Memorial

b. Adjourn meeting 12:38 p.m.

Vice Chairman Clay Hammer

Recording Secretary Carol Bean

**WRANGELL PORT COMMISSION
REGULAR MEETING MINUTES
Monday, February 11, 2013**

CALL TO ORDER – The regular meeting of the Wrangell Port Commission was called to order at 7:00 p.m. by Chairman Brennon Eagle. Commissioners attending were Eric Yancey, Bill Knecht and Clay Hammer. Also present were Harbormaster Greg Meissner and Recording Secretary Carol Bean.

Commissioner John Yeager was absent.

APPROVAL OF MINUTES

a) January 3, 2013 Regular Meeting Minutes

Minutes were approved unanimously by consensus.

AMENDMENTS TO THE AGENDA

None

CORRESPONDENCE

1. Letter from Jim Pritchett regarding lease in MSC
2. Letter from Job Montoy regarding lease in MSC
3. Letter from David Miller regarding lease in MSC
4. Letter from Julie Decker regarding Regional and Statewide Maritime Developments = Opportunities for Wrangell

PERSONS TO BE HEARD

None

REPORTS

Harbormaster
Meissner –

***Harbormaster's Report
February 2013***

Marine Service Center- Following the bid opening for the 300 ton machine both Marine Travelift Inc. and Kendrick Equipment have filed a protest to the award. They received a response from the Borough Manager to their protest and appealed that decision to the Assembly. All the information is in the hands of the Borough Manager and the city attorney to assist the assembly in their final response. I apologize for not sending you all an email giving you an idea of what was going on and I will let you know what is going on as soon as I have an answer.

The Phase II concrete project for the boat yard is out to the public and bids will be opened on March 5th at 2 pm. The work will be similar to the last phase but a larger area. The work could start as early as mid-April and should be complete by November depending upon the amount of area awarded. Again, the areas are scheduled such that we are able to operate and the impact on vendors will be as minimal as possible. We will again provide a project schedule to all the lessors and vendors so regardless of what you hear they will all be aware of what is going on so they can schedule accordingly.

Travelift Pier- This project should go to bid mid-March.

Seattle Boat Show- I, as well as others attended the Seattle Boat Show this past month. Overall there was a fair amount of interest which is normal. I have not talked to each person that worked the show but I think it was a success. Many boaters are looking to leave their boats in Wrangell for the winter or even taking a stall and leaving them here permanently.

Reliance North Hoist- The hoist is under repair at this time and will be reassembled as soon as we get the parts back. The same part that we keep having trouble with is being replaced with a new one. This is not an off the shelf part and will be manufactured. The hydraulic shop figured that it would be a couple of months once he had the old part. He has had it for about 2 weeks.

Mariner's Memorial- I am still waiting for a cost for a concrete and steel structure. I will bring this forward as soon as I have it.

Shoemaker Bay- I am still working with the Corps of Engineers on their involvement and monies available. Their involvement would be on things like any dredging and the completion of the breakwater. We need to work on the financing of the design portion of the floats and upland so we can compete for construction grants.

Inner Harbor- I would like to pursue purchasing new finger floats to replace the old ones. I estimate this to cost about \$150,000.

Fish and Game- I would like to purchase a 60 foot finger to install where the Campbell barge was located. This would provide 2 new stalls for vessels 57 to 60 feet long. The finger would cost about \$20,000.

Commissioners

Chairman Eagle - The travel lift needs to not be shut down. We were shut down a couple of days last month.

Meissner – We will put a scheduling calendar out in the yard. We had people out of town and sick.

Eagle – Can we get another guy trained? Is this on the agenda?

Meissner – We would have to eventually have two operators, with two helpers. In the summer we may need 4 people working in the yard. Unless there is enough business to pay for staff, we cannot justify hiring new people.

Eagle – Could we train someone at public works to fill in when needed?

Meissner – We will need to do staggered shifts. Next summer with both machines running we will need to look at doing this.

Eagle – Stagger shifts this spring.

Port and harbor safety concerns

None

9. UNFINISHED BUSINESS

a. Mariner's Memorial

Meissner - We did get an email, enclosed in packet. A prefab unit similar to what we have designed would be around \$120,000. Our engineer has most information, still working with him on this.

Hammer – We like the design we came up with. I hope the results were similar to that.

Eagle – If we can save money and be close to the concept, I am comfortable with that.

Yancey – I don't know about stucco.

Meissner – I don't want a cinder block wall look.

Hammer – Have it look like a lighthouse.

Eagle – Get costs by our next meeting and get Carol Rushmore working on finding funding.

b. Status of bid award for 300 Ton Marine Travelift

Meissner - Discussed during harbormaster report. I will let you know what the attorney comes up with.

Eagle – Keep us in the loop on this.

10. NEW BUSINESS

a. Boat storage in Ritchie Yard

Eagle – Move smaller boats into this yard. Move the power underground with funds from the yard project.

Hammer – It will be about \$12,000 to move the power.

Meissner – I need to get costs from AP&T and GCI. We will be able to move 20 boats over there.

Hammer – It would be best to do this in the fall. We can put the gate and conduit in anytime, and once the processing season is over, we will run the power.

Meissner – We will run out of room in the yard in October.

Eagle – Do we need to take action on this now?

Meissner – We can do this as a capital project in the budget.

Yancey – Will this be storage only?

Meissner – No. We have 65 boats stored and it is a big chunk of our revenue. We can move boats across to the main yard to do heavy work.

Eagle – Put it in the budget for next year as a capital improvement.

b. Marine Service Center leases

Meissner - We have 3 requests before us now, with more to come. I have blocked out areas in the yard for 4 additional lease spaces. One by Keller's, two near Jenkins, one by the gate where the building currently is. The spots will be advertised and we will have this as a public bid. There will be resistance to putting in more fill and industrial use on the

waterfront. If the city gets the mill property out the road, we may move the barge operations out there.

Eagle – What about the AML vans? Will they still fit out there?

Meissner – There will still need the space by the belt freezer for vans in the summer.

Sorric – We need to have a building that we can put the bigger boats into with the new lift.

Eagle – how is Kodiak dealing with this?

Meissner – They are still doing everything outside. I don't know if they are looking at putting up a structure. In the yards down south, they were erecting scaffolding and shrink wrapping it.

Yancey – Could this be done in our yard?

Meissner – We could do this over by the belt freezer building.

Sorric – We can't raise plate onto a boat on scaffolding.

Meissner – Putting a permanent structure by the belt freezer was one idea.

Hammer – Could we fill by the other end?

Meissner – You would have to sheet pile to fill this in. I can run numbers on this.

Eagle – I want to decide tonight what we are putting up for bid and the sizes.

Meissner – With trying to maneuver the new lift we are out of space. We need somewhere to store our harbor equipment. Our welders, oil tanks, equipment, loader, and trailer everything stored in there.

Eagle – We could move it all somewhere else.

Meissner – Where? If we lease those 4 spaces, we are out of room.

Yancey – With the big lift, we need a covered area for the big boats.

Knecht – We really need a building for the big boats.

Meissner – Steve is concerned with room to move big boats around. Committing to put a big structure before we pull a boat and move it around would be a mistake. A building that size may make it too tight to spin a big boat around with the new lift.

Sorric – Make a shorter building that is tall enough to drive the machine into.

Meissner – The boat will still stick out that far. We have a finite chunk of land here.

Yancey – Could Don move over to the other area? We need fill that other area.

Meissner – The city and public effort will be toward moving out to the mill site.

Sorric – We are already having space problems where we are. I hate to be limited to 80 feet, but I will take the space I can get.

Meissner – I will look into cost to sheet pile and fill.

Move by Knecht, seconded by Hammer to prepare the 4 proposed spots and advertise them for lease with the same terms and restrictions of the current leases.

Motion carried unanimously by poll vote.

Meissner - I will number them, with a map and sizes of the individual lots, and get assembly approval to advertise. Probably up for bid in May.

11. CLOSING

a. Next Agenda Items

- Regional and Statewide Maritime Developments = Opportunities for Wrangell
- Cost of sheet pile and fill
- Inner harbor finger floats
- Fish and Game finger floats
- Shoemaker Bay workshop? Or workshop with all capital projects needed. March 11th. 6:00 p.m.

b. Adjourn meeting 8:44 p.m.

Chairman – Brennon Eagle

Recording Secretary – Carol Bean

**WRANGELL PORT COMMISSION
REGULAR MEETING MINUTES
March 11, 2013**

CALL TO ORDER – The regular meeting of the Wrangell Port Commission was called to order at 7:00 p.m. by Chairman Brennon Eagle. Commissioners attending were Bill Knecht, Clay Hammer, and Eric Yancey. Also present were Harbormaster Greg Meissner and Recording Secretary Carol Bean.

Commissioner John Yeager was absent.

APPROVAL OF MINUTES

February 11, 2013 Regular Meeting Minutes

Minutes approved unanimously by consensus.

AMENDMENTS TO THE AGENDA

None

CORRESPONDENCE

1. Letter from Bill Knecht regarding lease in Marine Service Center
2. Public Hearing Notice from Planning & Zoning Commission regarding a temporary use permit application for a portion of the Institute Property. Per Carol Rushmore, they may withdraw their request as they may not have gotten the contract.

PERSONS TO BE HEARD

Bernie Massin – 621 Wrangell Ave- Regarding my plans to develop my land at Shoemaker. With 300 ton lift, could we use the small trailer at Shoemaker? I could put up a building if you want to store boats out there. I can't afford to buy a trailer. If I put an investment out there, I would like some kind of guarantee that I could use the trailer.

Meissner – The trailer is submersible. We have discussed possibly paving the old airplane haul out and use that space for storage. The trailer has never left the yard other than transporting boats to Jenkins, etc. We could schedule use of it out there. It is certainly doable.

Massin – Just keep this in mind; if I make an investment for a building, you would get fees from pulling the boats. I would like a backup plan.

Meissner – A building would be more pleasing out there.

Rushmore – Storage at Shoemaker Bay is supposed to be indoor storage per the zoning ordinance.

Meissner – The trailer can be scheduled. We need to move 22 boats out of the yard with the leases we are planning.

Eagle – Put this as an agenda item for a future meeting.

Meissner – We cannot guarantee the trailer will be available.

Massin – Someone will complain that I would be using the trailer for free.

Meissner – That could be an allowed practice in the future.

Eagle – If you want a policy statement, put your request in writing so we can act on this.

Meissner – We will need more storage before the city can provide it, so I would like to see the private sector do this. We are using it to haul trailers to Jenkins's shop.

7. REPORTS

Harbormaster

- Boat yard concrete bids are out, Southeast Roadbuilders got the contract. We are discussing the scope of the next phase of the project. We got decent bids and should be able to do what we want. Assembly will approve the bids tomorrow, and we can start construction in May.
- We are finalizing the order for the new travel lift.
- Shakes street, we have costs on moving phone and cable services, and the gate.

Commissioners

None

Port and harbor safety concerns

None

8. UNFINISHED BUSINESS

a. Mariner's Memorial

Meissner – Still waiting for estimates from Johnson's on the building.

Eagle – Get a number on this for the April meeting.

Hammer – We need to get donations to help build this.

Meissner – We need to get construction cost estimates.

Eagle – Get this pinned down.

b. Marine Service Center leases

Meissner – I am still waiting for the assessor to get the costs for leases on concrete areas, need finished ground price.

Eagle – We need to approve the price on April 4th, and have the assembly approve it on the 9th. Advertise 21 days, and then put it out to bid in May.

c. Ritchie boat storage yard Capital Expenditures

Meissner – I got an estimate of \$25,000 to move city power, and underground power, phone and cable. Did you make a motion to take this out of reserves?

Move by Hammer to take up to \$30,000 from reserves for the Port and to relocate power and communications underground services for Ritchie yard, seconded by Knecht.

Motion carried unanimously by poll vote

9. NEW BUSINESS

a. Regional and Statewide Maritime Developments = Opportunities for Wrangell

Julie Decker – 120 3rd street – basically a couple things in region and statewide opportunities for Wrangell. Alaska maritime workforce development plan. They are taking input from industry, for a draft plan in the fall. Workforce development will help school and industry. Ketchikan has a marine industry council led by Alaska Ship and Drydock. They are developing goals for a 2 year project. They are putting together a website and are going to market outside of Ketchikan. They are developing a plan, needing more workforce. Carol Rushmore and I are listening to presentations, and they are open about what they are doing. We want to further our marine industry. You are the marine side of the industry here. You could work with the Economic Development Committee to develop a plan. I don't have specific ideas but we want to come up with goals and a plan. We could work with the school and local business on workforce development and marketing. The old mill site could possibly play into this plan. The Port Commission could identify someone to work with EDC to work on this.

Hammer – It could help us enhance our yard.

Eagle – Do you have an opening on the committee or we can just sit in. We want to provide jobs. One commissioner could sit on the EDC board if there is an opening.

Hammer – We need to work together toward those ends.

EDC meets the 4th Thursday of the month, with April 24th the next meeting. Brennon and Bill will meet with them.

b. Proposed Capital Projects

1. Meissner – entrance from Northland Yard onto outer drive. The entrance is sinking, and we need to concrete this area. They have had some mishaps with vans in there, and this needs to be fixed. Carl Johnson estimates a cost of approximately

\$100,000. If we don't have funds, we could take them from reserves. We could put it out for bid in April, do in May? I will know soon if the contractor plans to bring in a concrete plant for the Marine Service Center project. I will have a better idea soon. We need to make this usable and safe. The ramp is inadequate with the new bulls running out there now. We need a new ramp to handle the new loads. There may possibly be funds from the city dock project that could be used for this. I will figure out concrete needed. We will get the drain in to take care of the water problem. Drying it up may take care of the problem. Take action of this April 4th meeting.

2. Most everything else could be done within the budget. I would like to drive a steel pile where the Campbell barge was before and make 2 new stalls.

3. Next meeting have a workshop, ½ hour at Shoemaker Bay, ½ hour at Inner Harbor.

c. Proposed Ordinance change to set a time limit for boat storage within the Marine Service Center

Meissner – Steve and I started talking about 8 or 9 boats that haven't moved for a year or two. We got rid of this with doubling the fees, but we have boats on the ground in the way for the next phase of the project. Have this as ordinance or policy change? We need to keep the projects moving in the yard, not have long term storage. We have a few that have been there 4 years. Some projects do take a couple of years. At 12 months, the rate doubles, but we need to have an ordinance to enforce time limits. We need something for enforcement of the time limits. We want the yard to be busy and active, not homesteading storage in the yard.

Eagle – We don't want to make money from storage, we want to make jobs for working on the boats. We may not have space to work on boats if too many boats are stored long term.

Meissner – Start the process for an ordinance change.

Yancey – Can we move boat storage out to Shoemaker?

Meissner – Not outside boat storage by zoning ordinance.

Move by Knecht to draft an ordinance to set a 24 month time limit for vessels in MSC managed property. Seconded by Hammer

Motion carried unanimously by poll vote.

10. CLOSING

a. Next Agenda Items

- **Budget**
- **Workshop on prioritize harbor project Shoemaker Bay or Inner Harbor – 5:30 workshop, regular meeting 7:00 p.m.**
- **Mariners Memorial**
- **Regional and Statewide Maritime Developments = Opportunities for Wrangell**

- **Ordinance change? If back from attorney**
- **Ordinance – leases in MSC, monopolies of space, limit space under individual leases**
- **Priority capital project, SMB and inner harbor**

b. Adjourn meeting 8:15 p.m.

Chairman Brennon Eagle

Recording Secretary Carol Bean

**WRANGELL PORT COMMISSION
REGULAR MEETING MINUTES
April 4, 2013 CALL TO ORDER**

CALL TO ORDER – The Regular Meeting of the Wrangell Port Commission was called to order at 7:00 p.m. by Chairman Brennon Eagle. Commissioners attending were John Yeager, Eric Yancey, Bill Knecht and Clay Hammer. Also attending were Harbormaster Greg Meissner and Recording Secretary Lavonne Klinke.

APPROVAL OF MINUTES

- a) March 11, 2013 Regular Meeting Minutes

Minutes were approved unanimously by consensus.

AMENDMENTS TO THE AGENDA

None

CORRESPONDENCE

- 1) Letter from Appraisal Company of Alaska regarding rates for MSC leases (agenda item 8b)
- 2) Memo from Carol Rushmore regarding potential log storage and loading sites (agenda item 9b)
- 3) Request for additional lease space in MSC by Alaska Special Sea Seafoods (agenda item 8b)

PERSONS TO BE HEARD

None

7. REPORTS

a. Harbormaster

Meissner - Heritage Harbor signs will be going in soon. Regarding your question as to whether we could use the remaining balance funds from Heritage Harbor for the Mariners Memorial, approximately \$40,000 to make a covered structure, we were given permission by the State granting agency to do this and they gave us a year extension on the funds.

Marine Service Center Phase II, starting next week. Monday is preconstruction meeting and then they want to start the survey work next Tuesday. Trident will be cleaning up their area to make room for the contractor. Vans for herring will be moved out by AML. Break ground in two or three weeks.

After 17 years at the harbor office, Ladonna has resigned and gone to her new employer, Alaska Marine Highway System. Best wishes to her and thanks for her service.

Shakes Street electric power for the Ritchie Yard, about the 10th ditch will be dug, and all phone and power will be underground.

Rip rap armor rock is almost completed and should be done in a few days, if not maybe a week. Rock quantities in the State pit were not enough. We are a little short of what we need. The cost may be a little more than what we planned.

Summer floats are almost complete, may have to put old floats in until the new ones are done. We are trying to work out the shipping costs and the timing.

b. Commissioners

Yancey – Where are the garbage cans at Heritage Harbor by the boat launch for people hauling boats out?

Meissner – City has got some new ones and we will get them put out.

Eagle – You should have notified the commissioners when things are happening such as Ladonna's going away party so we could have been there.

c. Port and harbor safety concerns

Hammer - Out at the old mill dock the bull rails are getting rotten on the opposite side of the hoist.

Meissner – We are replacing those.

Hammer – There is a hole in the old mill dock, possibly where someone's outriggers were placed. You can see daylight through it. I placed a pallet over it to avoid potential dangers.

8. UNFINISHED BUSINESS

a. Mariner's Memorial

Meissner - The money is a guess but we have about \$40,000 left from the project, without going and getting donations. I spoke to landscape architect Chris Myrtle about the shelter, design and bid documents. He can provide these. He recommended putting us in contact with company that builds the structures. That could save a lot of money. I talked to Carol Rushmore about funding from Rasmussen. We want to stay with the lighthouse concept.

Eagle - Get an estimate price from Polygon for the structure. I would like to have that by the next meeting. Design an overall plan of the area before we put in a structure and it limits what we can do with the space. I would like to fast track the project. The project money is only available for another year.

Yeager – When talking to the manufacturer are there possible customizations to the design?

Eagle – We have not talked to the manufacturer yet. We need Greg to keep on this. Chris Myrtle sent Brenda's design to the manufacturer.

Meissner – I would still like to the structure built out of concrete and steel, but the rough price estimate for original design is about \$100,000. We are a long way from having that kind of money. If we set our sights too high on this project it could still be several years until we get something built out there. We can probably get something pretty satisfactory with less money if we go with the manufactured structure.

Hammer – We have one chance at getting this project done right. It's hard to plan when money is an issue. This will be around for years to come and it will cost a lot to get what we want. We should come up with what we want and then raise the funds to do it.

Meissner - I will talk to Jeff about funding option. We have approval to raise funds through the Elks as a non-profit. We need start a campaign to raise funds to build the project.

Hammer – It would be nice to have three different scenarios to look at with costs for each.

Eagle – We have come up with a design we want and I don't want to settle for something less. I want to see what Polygon can come up with for a design. I want that before us at the next meeting. Then we can decide which way to go. I want a landscape design for the whole area. Next meeting we can decide if we want to bring Chris Myrtle down to look at the area and discuss our plan.

Hammer – While I was in Kirkland I saw a structure similar to what we are planning made out of metal and it looked good. It was close to what we are planning. I could contact them and find out who built theirs.

Meissner – I spoke to Harley and he is back and will put together a plan for us based on Brenda's design.

b. Marine Service Center leases

Meissner - Alaska Special Sea Seafoods requesting additional space on their current lease. They are out of the way, and want to put in trailers, pallets, a shop van, etc. They are currently over their spot. This wouldn't be issue for us and they have a 5 year lease. The extra space would be added to the current lease. I will check to see what the process is for a request like this.

Motion by Yeager, seconded by Knecht to approve the request by Alaska Special Sea Seafoods to lease an additional 800 square feet (20X40 feet).

Motion approved unanimously by poll vote.

Meissner - We have had four parties submit requests to lease space in the Marine Service Center. We currently have four lots we are leasing. We have four spaces we are going to put up for lease.

- Lot #5 – 40'X50' (2,000 square feet) minimum bid \$.08/sq ft. (\$160 per month) on the dirt
- Lot #6 – 60'X60' (3,600 square feet) minimum bid \$.12/sq ft. (\$432 per month) on concrete
- Lot #7 – 50'X60' (3,000 square feet) minimum bid \$.12/sq ft. (\$360 per month) on concrete
- Lot #8 – This is where the building is. We will hold off leasing this until the building is taken down.

Mike Renfro gave us an estimate of the lease values we should charge to recapture the cost of the concrete pads. We should charge between \$.12 to \$.14 per square foot for leases on the concrete based on a 60 year recovery of our costs.

Eagle – I am in favor of a 50% increase in the cost or \$.12 per square foot

Motion by Yeager to set the minimum bid at 12 cents per square foot for the two improved lots on concrete the other unimproved lots will stay at 8 cents per square foot. Seconded by Yancey.

Motion carried unanimously by poll vote with Bill Knecht abstaining due to a conflict of interest.

Eagle – The Long term leases will be available when engineer has approved the sites as ready after the project is completed.

c. Prioritize Capital Improvements – Shoemaker Bay and Inner Harbor

Hammer read the following letter from Frank Roppel into the record;

Clay Hammer-For the Port Commission 4/7/13

March 26, 2013

Re: Shoemaker Use and Condition

Clay, First of all, thank you for your time to discuss the Shoemaker Harbor. It is clear there are many opportunities for improvements that would benefit Wrangell. I apologize for not being able to attend the April 7 Board meeting, but I will be out of town. I hope you can enter my comments from this message.

#1. This message and our conversation were prompted by the March 14th "Sentinel" article that said that the City is trying to obtain from the State \$9.75 million to rebuild Shoemaker. Included in the article is \$600,000 for engineering for Shoemaker.

It seems to me there are remote near term chances of obtaining this substantial funding from the State, given the weakened political position in the critical House and Senate Finance Committees of the Legislature of Wrangell and all Southeast as a result of the recent elections.

#2. Shoemaker Float Maintenance. There has been very little float maintenance at Shoemaker for the past several years. This is particularly evident with the deterioration of the floats closest to the mouth of the harbor. This area receives the most impact from waves entering the harbor and over the years, with no maintenance, the predictable results have happened. I am enclosing photos of the float condition. For a modest sum, like \$10,000, a contractor could effect repairs that would preserve the ability to use the last lateral and its fingers for several more years. Just letting it continue to deteriorate poses a potential problem to the rest of the Shoemaker users if these floats break up and bang around other parts of the harbor in a storm.

Regarding the worst section, that closest to the harbor entrance, the wooden rails on the outside of the concrete float sections are broken or/and have come loose in a number of locations. It seems that the usual cause is that the washers and long through rods holding the floats together have rusted off. The wooden rails have not rotted, but some have broken from wave stress and being hit by boats. The piles and pile connections seem to be in pretty good condition.

The rods have been coming loose for the past several years, but not one has been repaired.

The result should not be a surprise. See the pictures.

Shoemaker floats are covered with grass. Can not one person with a gas powered pressure washer clean off this eyesore and place for rot and spalling in one or two days!!

Spalling of the concrete due to freezing has been ongoing for a number of years. Where it was correctly repaired, the repairs seem to have been pretty effective. There are portions, however, where no repairs were made and other locations where the repairs were made, but did not "stick" for whatever reason.

After a good pressure washing, another couple of days to repair the damaged surface areas should add several years to usability.

Large size trash, floating logs, and deadheads have collected in the floats and have been around for months. The floating logs beat up the floats and pose a hazard to the boats. The DEADHEADS get under the floats and break the back of the float. Take a look at the photo and if you do a walk around as reported to occur, you will see that the outer float is broken in the area of where the dead is located.

3 Fire equipment, lighting, electrical service and water service on the floats is functioning. The ramps are in reasonable condition. All valuable assets!!

The main point is that these are valuable assets that could be producing revenue and it does not argue well for additional funding if we do not take care of what we have.

#4 Parking area was graded ONE time during the summer of 2012. And that did not occur until a complaint was made to the City Manager in July. The pot holes have been bad for the past several years. They are still mostly there but it seems there was a modest grading during early March of 2013. No new surface gravel has been added for many years and there seems to be little available to grade. The only exception is the area in front of the toilets that were built a couple years ago. Those toilets seem to get quite a bit of use and are kept in pretty good condition, which is nice to see.

Automobiles have been abandoned in the parking lot. The same two are still there from at least last May. I commented to the City Manager and the result was that someone took the tires and the license plate off one of the vehicles. These three vehicles, (see the photo) are all out of license or have no plate. However, the original photo to the City Manager in July of 2012 shows the plate number....if anyone cares. These abandoned vehicles are a strong signal that no one really cares about the parking area and

accordingly invites vandalism and other mischief which may not end with just the vehicles in question. Don't we have some rules regarding abandoning vehicles on municipal property? What are these vehicles doing on the public property with no valid license....or insurance? Or what other requirements that other law abiding and taxpaying auto owners have to observe?

#5 Additional Revenue from Shoemaker area. The news article and a quick look at the city haul out & storage area confirms that there are a number of commercial and pleasure vessels of moderate size that could be stored during the winter months in the little used parking area of Shoemaker. I understand that the city has a trailer that could be used to remove and rewater boats using the launch ramp at Shoemaker. If you could store 20 or more boats at Shoemaker during the winter, it would take some of the pressure off the Town property and maybe develop a little more revenue.

#6. The Net Maintenance Float lying next to the last float section nearest the harbor is in constant use during the summer months. There have been as many as 4 gillnetters using that float at one time. They often park their vessels in the same area. This must be a welcome accommodation for the fishing vessels and more of this type of facility might attract more boats to Wrangell's facilities.

The fact that the net float is lying against the rest of the deteriorating main float is probably a benefit in one respect that it protects a little against wave action, but if main float repairs are not made, the net repair float's use will become problematic.

As one final thought, I did not comment one word when it was announced several years ago that harbor moorage rates were going to be dramatically increased during the next several years....which has, for sure, occurred. I guess I assumed, evidently very naively, that the additional revenue would enable improved maintenance.

Thank you for your time. Frank Roppel

July 10, 2012

From: Franklin Roppel, P O Box 1998, Wrangell, AK 99929

To: City Manager, Wrangell

Dear Tim,

Re: Shoemaker Parking Area Condition

While you were on vacation about a month ago, I stopped in the City office to comment that the Shoemaker Parking Area was in very poor condition and badly needed grading. It seems the last grading was in March, maybe before.

I realize that the City has limited staff and that they have plenty to do. However, it seems like pretty poor asset management to let the condition come to the present state.

In addition to the grading, it seems that the parking area is also a dump for unwanted vehicles. Enclosed are photos of two that are inoperable-flat or no tires. Long expired license plates indicate they have not been run on the streets legally for several years. Is there no way to get rid of this junk? As you can see from the photo, one has a 2008 plate and one has a 2010 plate. Clearly from the amount of grass growing around them, they have not moved for months

Thanks for your attention,

Very truly yours,

Frank Roppel

Eagle – At the last meeting we discussed trying to prioritize which one of these two harbors we wanted to apply for grants funding to replace the float systems. Inner Harbor will cost approximately \$4.5 million and Shoemaker Bay will cost about \$9.5 million. We have some matching funds in our reserves to apply to these projects. We need to prioritize one.

Austin O'Brien – I agree with Frank Roppel, and I am paying the same rate as those in the newer or more maintained harbors. Basic maintenance needs to be at least focused on towards Shoemaker. You should address the basic maintenance.

Arnold Bakke - Lady Solvay in Inner Harbor. I have been in Inner Harbor for many years. The harbor department needs to do maintenance and upkeep on the harbors. I was hearing rumors about if anything was going to be done it would be for 32' and under vessels. His

boat is a 42' vessel, has concerns. Please factor in the larger vessels too. Some larger vessels have hit bottom due to being shallow. Doing more maintenance is the big thing.

Jon Powell - I heard rumors that our boats would have to be relocated. And maintenance is definitely needed.

Eagle – The current stall rent is \$25. Of that \$13 is for operations and \$12 goes into a reserve for maintenance and replacement of the harbor floats.

Meissner – Our operating budget is \$13 per foot. We don't have a lot of funds for maintenance. Most of the docks are designed for a 25 year life, and they are over 36 years old. Other cities are raising their rates significantly.

Bakke - What about possible future monies?

Meissner - The state is getting away from owning harbors. By the end of June we will have \$700,000 in our harbor replacement fund. Everything we have is getting old at the same time. To compete for grant funds, we have to have design. We need to tackle one harbor at a time. Shoemaker Bay has 250 stalls; Inner Harbor 130 stalls. \$325 per square foot for a new facility.

Yancey - They both need work, but Shoemaker Bay does needs maintenance. It might be waste of money if only helps for a few years.

Eagle - Maintenance is a valid concern, cleaning up the grass and making it safe to walk on the dock. Shoemaker Bay rebuild, maybe address fingers and loose boards in Inner Harbor.

Yancey - Asks if did Shoemaker Bay or Inner Harbor, what would be the turn around to address getting more funding.

Meissner - You have to have your match to be ready to apply for a grant. Denali money may be available now that other projects are now finished. Piece meal the projects to make the improvements. 30 foot fingers are about \$6,000 each. Capital project funding is drying up.

Knecht – I feel we should do repairs on Inner Harbor, then take the big money to do the Shoemaker Bay project.

Hammer - Remove the unsafe items at Shoemaker Bay. We get the most complaints about Shoemaker.

Yeager- I feel Shoemaker Bay is the one that needs the work and attention. My concerns are grant funding, and what is the potential of obtaining grant funds for Shoemaker? I am not in favor of putting new floats or fingers on old docks. I am in favor of repairing Inner Harbor. Move some stalls and make some space for bigger boats.

Meissner – We can pull funds from reserves to put to Shoemaker Bay improvements.

Yancey - What are the odds between getting funds for one project over the other?

Meissner – Explained the Tiers I & II projects funded by the state.

Hammer - Shoemaker Bay should be the next project on the list. Do the design on both harbors now.

Eagle – Do a resolution to publically acknowledge that Shoemaker Bay is the Port Commission's next project. Pass the resolution in May.

d. Regional and Statewide Maritime Developments = Opportunities for Wrangell

Greg and Brennon met with Julie Decker, Economic Development Committee chairman and Carol Rushmore and identified needs;

1. Publicize business that can work out of the yard.
2. Help train workers/student to the employment opportunities in working on boats or other maritime items.
3. Develop Wrangell wide council
4. Put someone from the Port Commission on the Economic Development Committee.

9. NEW BUSINESS

a. FY'14 Budget

- Increase maintenance from \$15,000 to \$30,000 to cover materials and labor.
- \$100,000 to put concrete in at the barge area.

Move by Knecht, seconded by Hammer to approve the budget as written with the two changes noted.

Motion carried unanimously by consensus.

b. Discussion of potential log storage and loading sites

Hammer moves that mooring buoys be positioned at the barge mooring site between the mill site and bluffs or city dock in town, seconded by Yeager.

Motion carried unanimously by poll vote.

10. CLOSING

a. Next Agenda Items

b. Adjourn meeting 9:08 pm

Chairman Brennon Eagle

Recording Secretary Lavonne Klink

**WRANGELL PORT COMMISSION
REGULAR MEETING MINUTES
May 2, 2013**

CALL TO ORDER – The regular meeting of the Wrangell Port Commission was called to order at 7:00 p.m. by Chairman Brennon Eagle. Commissioners attending were John Yeager and Clay Hammer. Also present were Harbormaster Greg Meissner and Recording Secretary Carol Bean.

Commissioners Eric Yancey and Bill Knecht were absent.

APPROVAL OF MINUTES

a) April 4, 2013 Regular Meeting Minutes

Minutes were approved unanimously by consensus.

AMENDMENTS TO THE AGENDA

None

CORRESPONDENCE

1. Proposal for lease from Superior Marine Services
2. Proposal for lease from Josh Young
3. Email from Chris Myrtle regarding Mariner's Memorial

PERSONS TO BE HEARD

Frank Roppel – I am delighted to see the resolution dealing with the Shoemaker floats. I urge you do temporary repairs as soon as possible. The gillnet float has a lot of people using it. Thank you for your concern.

7. REPORTS

a. Harbormaster

*Harbormaster's Report
May 2013*

Marine Service Center- The concrete project is underway and things are going well. I believe they will be placing cement by the third week of May. The yard is very busy but staff is working very hard creating room for boats. We are doing our best to encourage vendors and boat owners to meet launch schedules so we can haul other vessels.

Travelift Pier- This project has been awarded to Pool Engineering. We have not had the pre-construction meeting as of yet so we do not have a construction schedule. I will keep you informed as we know more. We will be going to a 4 day week when things start but will advertise that fact soon. We may very well work longer days also.

Mariner's Memorial-I was assured that I would have an answer by today on the structure and I did not receive anything as of yet. The company has our picture and our request but they have not called back or emailed me anything.

Bobbie Robbins has been hired as the new Administrative Assistant for the Harbor Department. I think she was the right choice and believe she will be an asset to the department. Feel free to stop by and congratulate her.

Meissner – The M/V Taku is at the dock to provide housing for the Shakes Island Rededication. We are not them charging moorage. The rededication will cause some mayhem in south end of town. I did put an advertisement on KSTK to discourage traffic in the area.

Shoemaker Bay is being pressure washed. Once done, we will work on repairs. The gillnet float acts as a breakwater.

b. Commissioners

None

c. Port and harbor safety concerns

Yeager – With the fishing season approaching, police the area around the hoists better. Harbor staff needs to keep the docks cleaned up during the rededication, especially at Reliance.

Meissner – We will and keep the restrooms cleaned up also.

Hammer – The transformer between Sorric and Keller will be swapped out. They keep crowding this. We need to put up some bollards to stop this.

Meissner – They are started cleaning this area up. They know to keep this clear.

Hammer – kids don't float program – Get a little shed with doors to keep the life jackets dry.

Meissner – I have more lifejackets coming. I will look into the shed.

8. UNFINISHED BUSINESS

a. Mariner's Memorial

Meissner –We have received nothing from Polygon. Chris Myrtle reported it is still in design. Nothing received yet even though they know we needed it for this meeting. If we receive it in the interim before the next meeting, I will get it to you and we can possibly schedule a special meeting.

Eagle – The remaining funds reduced for drainage costs by about \$6,000.

Meissner – We will get the money spent on something.

Hammer – Regarding the fish tax, we don't know what we are getting. Could we use some of that excess toward the Memorial?

Eagle – We have a good chance of finding funding from folks in town. If we have a target, concept and time frame, we can raise additional funds.

Yeager – Don't go after donations until we have a concept.

Meissner – I want to get the Stikine Sportsman's Association to commit to fund support of this.

9. NEW BUSINESS

a. Approval of bids on Marine Service Center Leases

Move by Hammer to approve the bids for the leases on Lot 5 to Jim Pritchett for \$550 per month, Lot 6 to Josh Young for \$740 per month and Lot 7 to Don Sorric for \$475 per month. Seconded by Yeager

Motion carried unanimously by poll vote.

b. A resolution of the Port Commission of the City and Borough of Wrangell, Alaska, prioritizing replacement of Shoemaker Bay Harbor as their top priority.

Move by Yeager to adopt the resolution the Port Commission of the City and Borough of Wrangell, Alaska, prioritizing replacement of Shoemaker Bay Harbor as their top priority, Seconded by Hammer.

Eagle – We did go and look at the harbors and made a conscious choice that Shoemaker is the top priority.

Motion carried unanimously by poll vote.

10. CLOSING

a. Next Agenda Items
Mariner's Memorial

Meissner – There were some minor changes in the budget due to new staff and insurance costs. We still are in the black.

b. Adjourn meeting 7:23 p.m.

Chairman – Brennon Eagle

Recording Secretary Carol Bean

WRANGELL PARK RECREATION BOARD
REGULAR MEETING MAY 1, 2013
7:00 P.M. ASSEMBLY CHAMBERS

Chairman Grover Mathis called the Park Recreation meeting to order on May 1, 2013 in the borough chambers. Board members in attendance were Sue Nelson and Bob Lippert. Tim Berberich and Holly Hammer were absent. Also in attendance were Recreation Director Amber Al-Haddad and recording secretary Betsy McConachie.

AMENDMENT TO AGENDA

APPROVAL OF MINUTES

The approval of April 3, 2013 regular Park & Recreation minutes were approved as read. Motioned by Lippert 2nd by Nelson.

CORRESPONDENCE

None

PERSON'S TO BE HEARD

None

BOARDMEMBER REPORTS

Lippert reported April 16-18, Carol Rushmore, (Economic Director), Lippert (Forest Service) Amber Al-Haddad (Recreation Director) Dee Galla, (Forest Service) met with Lisa H. Anchorage National Park Service, Service Trails Conservation Assistance Program for the technical assistance grant for trail work. Carol and Lippert took Lisa out on the ground and they walked spur segment to from volunteer trail to Tlingit housing than to Spur road and walked some trails to Stough's trailer park area and then the ridge up Mt Dewey. The next day was looking at maps working on things and it just happened to be a grant that came out National Forest Foundation Grant it was just fortunate having this Lisa from the National Park Service here because she knows pretty much all the players and all the different departments and agencies to contact. Lippert thought it was a good jump start and a good first step forward in trying to develop more trails for the city. This was a good way to find potential funding sources and she was obviously a trail expert. That is what she does, travels around the state, different communities all different types of terrain, eco systems, and habitats, and helps communities develop trails. Lippert felt that there were a lot of good ideas, information and a step forward on what to do. They came up with 10 trails segments, a priority order to take before the board and also to the public.

Al-Haddad said what Lisa was helping them do basically identify how to move the trail plan forward and by having a strategic plan for the trails. This would also be something that could be used as a guide in going after grant funds and different programs. A Trail Management Objective will be created for each trail section, identifying the trail's use, design use, design parameters, managed use, and other special considerations.

Additionally, Al-Haddad noted that The State bought the Bangerman Property adjacent to the Petroglyph Beach. The City & Borough of Wrangell has made an initial contact to inquire about the State's intended use of the property, as one of the proposed trail extensions would link to that State Park.

Al-Haddad plans to present the trail plan to the Wrangell Healthy Coalition, hoping to gain interest and assistance from other organizations.

Nelson wanted to bring up the issue on locking up the shooting range. Nelson thought we set up a program with the police department of locking it up at dusk. Mathis said it was discussed but there was no plan to lock the gate at this time unless there came a problem with vandalism or people dumping garbage. Camera's can be put up around the area. Nelson recommended that the Police Department lock up at dusk and re-open at day light.

Mathis said he checked out the volley ball stanchions being bent. He said they are and he looked the way they are seeded into the ground and they are solid. It doesn't have any effect on the ability to tighten the net up. The electrical outlet at the (covered playground) that was pulled open and the wires were exposed, Mathis said is now fixed.

OLD BUSINESS

- A. Suggestion box- There were no suggestions submitted since the last meeting.
- B. Park & Recreation Policy & Procedure-Amber would like to overhaul the Parks' Policy and Procedures Manual and presented a verbal outline as to the proposed revisions. Al-Haddad hopes to submit a draft of the outline for the Board's review in June. Al-Haddad would also like to create a lifeguard handbook to supplement both the City's Personnel Policy and the Policy & Procedures Manual for the pool facility.

NEW BUSINESS

None

DIRECTOR'S REPORT

See attached written report, which was provided orally.

The meeting was adjourned at 8:30 p.m.

Park & Recreation Chairman
Grover Mathis

Recording Secretary
Betsy McConachie

**TO: THE HONORABLE MAYOR AND ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: TIMOTHY D. ROONEY
BOROUGH MANAGER**

RE: BOROUGH MANAGER'S REPORT

DATE: June 21, 2013

*"It is summer, it is the solstice
the crowd is cheering,
the crowd is laughing in detail permanently,
seriously without thought."*

- *William Carlos Williams
American Poet (1883-1963)*

MANAGERIAL:

FY 2013-14 BUDGET – The City and Borough of Wrangell FY 2013-14 Budget was approved by a 6-1 vote by the Borough Assembly on May 28, 2013 with Assemblyman Ernie Christian providing the dissenting vote. The FY 2013-14 budget is available online by visiting www.wrangell.com. Copies of the approved budget are also available at the library and in the lobby of City Hall.

SE ALASKA WATERSHED COALITION MITIGATION FUND – Included on the May 28, 2013 Borough Assembly agenda under the Communications item was a request for comments from the US Army Corps of Engineers on the proposed SE Alaska Watershed Coalition Mitigation Fund. The Borough Assembly removed that item from the consent agenda in order to find out more information regarding the proposal.

Staff requested and held a teleconference with Jess Kayser of the Southeast Alaska Watershed Coalition, SAWC, the organization that is the subject of the Special Public Notice POA-2012-138, developing a mitigation fund. The purpose of the call was to understand in more detail the intent, process and goals of the proposal. What this proposal will eventually do, if approved by the Corps of Engineers, is to offer another alternative for mitigation opportunities. Before an individual, business, government or other entity discharges material into freshwater or wetlands of the United States, they are required by the Clean Water Act to obtain a Section 404 permit. If an activity is located in tidal waters, then a permit is required under Section 10 of the Rivers and Harbors Appropriation Act.

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In order to obtain a permit for fill, one must avoid, minimize and provide compensatory mitigation in order to meet the national goal of “no net loss”. The Corps of Engineers is the permitting agency. Typically what staff has experienced with Wrangell projects, is that landowners seeking to fill have two options for mitigation: 1) They must either give up use for a portion of their property in perpetuity, in other words, set aside usually more land than what is being filled, in order to meet the no net loss requirement ; or 2) Pay into an in lieu fee program established by the Southeast Alaska Land Trust (SEAL TRUST) an organization that then purchases conservation easements on land throughout southeast Alaska for the compensatory mitigation requirement.

This proposal will offer an alternative in lieu fee program to permit applicants to provide compensatory mitigation for unavoidable impacts to waters of the United States. Applicants could choose to pay into this mitigation fund, rather than provide their own mitigation or pay into the SEAL Trust fund. This proposal is in the early stages of development. Approval by the Corps of Engineers of this public notice proposal is just step one - sending the proposal into the instrument development phase. The instrument, developed by an interdisciplinary resource team, will detail the fund objectives, how an applicant participates, and ultimately the cost.

Staff actually held several conversations with the Southeast Alaska Watershed Coalition a couple of years ago when we were going through our mitigation issues for the hospital project. At that time, we were discussing mitigation banking opportunities locally, as well as restoration projects that might be used rather than land set asides. Unfortunately in our case, the time element did not work in our favor – we had to complete the mitigation prior to the award of the permit. By establishing the Southeast Alaska Mitigation fund, an applicant could buy into the program and the SAWC at that point becomes the party responsible for implementing the mitigation. They would have potentially up to three years in which to complete the agreed upon mitigation, but it enables them to possibly pool funds to provide the mitigation activity. Restoration activities could play a large part in the mitigation.

It is possible that ultimately it might be more expensive to contribute to this fund, but the landowner or permit applicant would still have another choice as to what opportunity they would want for their unavoidable fills. So the assumption made at the Borough Assembly meeting on May 28, 2013 that this proposal would automatically increase the cost to residents, private land owners, or the public is false. This fund might also enable the Borough to work with SAWC and the COE to identify restoration projects in Wrangell so that individuals or even the borough could contribute to a mitigation fund and have the mitigation result in local benefits.

This item has been placed on the June 25, 2013 Borough Assembly agenda for discussion as requested. Comments on this item were due by June 12, 2013 but staff was encouraged to provide any comments regarding the program regardless of the deadline.

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WMC REPLACEMENT PROJECT – On Friday, June 7, 2013, Ms. Marla Sanger and I met with USDA Administrator Trevino and Alaska USDA Director Mr. Nordland in Ketchikan. As you are aware, the purpose of the meeting was to discuss the reapplication process for a USDA construction loan and to reassure both that WMC and the City and Borough of Wrangell were moving forward in lockstep regarding the project.

The meeting was overwhelmingly positive. Both Ms. Trevino and Mr. Nordland reassured us that funding would be available to provide a loan for this project and, in fact, the process is not anticipated to be as competitive as securing the funding that was associated with the ARRA funds. We were encouraged to take the time necessary to make sure the re-application is accurate and reflects the needs of the community and healthcare services given changes in national policy, regulations, and market realities.

While our time with Ms. Trevino and Mr. Nordland was brief, I believe Ms. Sanger and I were able to communicate that both organizations are in a better place than we were a year ago, that there is strong leadership and proper governance in place, as well the very real need for a new facility. If you have any questions, please do not hesitate to contact me or Ms. Sanger directly as we both left feeling very positive about the future of the project.

WRANGELL ISLAND TIMBER SALE - Staff has been informed that the Wrangell Island Timber sale is going out for its third scoping. The volume of timber available if all requirements of the Forest Plan are stringently met has dropped approximately 30 mbf from when the project was first conceived. The Forest Supervisor has determined that it is a significant change and wants to re-notice the sale in the Federal Register and seek an additional 30 days of public comment. Alternatives range from approximately 50 mbf (meet strictly all Plan requirements) to about 125 mbf (with modifications -- some potentially major plan modifications). Ms. Carol Rushmore will be attending a Cooperating Agency meeting this week to find out more details and we will keep the Assembly apprised of the status.

TECHNOLOGY COMMITTEE – The Technology Committee conducted a meeting on Wednesday, June 12, 2013 at 4:00 PM at City Hall. At the meeting, two policy documents were finalized and will be forwarded to the Borough Assembly at the July 23, 2013 regular meeting regarding the use of technology by the Borough Assembly solely and potentially other elected/appointed Boards and Commissions of the City and Borough of Wrangell.

Copies of the proposed policies are attached for your information and review.

TONGASS NATIONAL FOREST – Ms. Rushmore attended a Tongass National Forest Conservation Strategy Summit to discuss the 2008 Old Growth Habitat Conservation Strategy. The purpose was to hear new science, issues, and monitoring results of the current strategy in order to generate discussion, need for revisions or potential alternatives of the strategy as part of the comments of the Forest Plan 5 year review due June 30, 2013.

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The Strategy was developed for the 1997 Plan and integrated wildlife viability data, various laws passed by Congress (for example: wilderness, national monuments) riparian habitat management assessments, and the allocation of lands for recreation. One intended outcome of the strategy was to prevent forest dependent wildlife species from being listed on the endangered species list, which it has successfully done to date. There was quite a bit of data presented, modeling alternatives, questions discussed, and suggested considerations for the USFS for their 5 year review.

ANNUAL DOWNTOWN CLEAN-UP – Employees of the City and Borough of Wrangell will be participating in the 4th Annual Pre-Independence Day Downtown Clean-Up on Friday, June 28, 2013 from 9 AM until Noon. If you would like to participate in this event, please contact me as soon as possible.

HOLIDAY CLOSURES – All City and Borough of Wrangell offices will be closed on Thursday, July 4, 2013 in observance of Independence Day. Customers that would normally receive refuse service on Thursday of that week are asked to place their receptacles out before 8 AM on Friday, July 5, 2013.

TIMESHEET – My timesheet for the month of May is attached for your information and review.

CAPITAL PROJECTS:

300-TON MARINE VESSEL HOIST - The City and Borough of Wrangell is working out design options and details with Ascom SPA. Within the next month staff should have final drawings for approval.

CASSIAR STREET - ROAD AND UTILITY IMPROVEMENTS - Plans are bid-ready. Staff is waiting for the final grant documents from DEC to be issued and for easements to be finalized before putting the project out to bid. It is anticipated that some work on utilities could begin this season with the remaining work to be complete next summer.

COMMUNITY CENTER RENOVATIONS – Staff continues to pursue closeout with Johnson Construction & Supply for the Community Center Roof Replacement Project. Cost estimates are being prepared to help determine the scope of the asbestos removal to be performed with remaining grant funds.

HERITAGE HARBOR - Most remaining grant funds for Heritage Harbor are designated to go toward the Mariners' Memorial. The Port Commission is working on conceptual designs at this time.

MARINE SERVICE CENTER, PIER STRUCTURAL UPGRADES - The pre-construction meeting was conducted on June 7, 2013 with the contractor, Pool Engineering. The contractor anticipates materials arriving and construction starting during the last week of June.

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MARINE SERVICE CENTER, CONCRETE PAVING PHASE II - Southeast Roadbuilders has completed work in Area 1 between the belt freezer and the cold storage. They are anticipating placement of concrete in area 1B, by the North entrance to the Marine Service Center, on or about June 22, 2013. Next they will begin work in area 2A near the main entrance to the yard. The new restrooms for the Marine Service Center are installed and complete.

ZIMOVIA HIGHWAY PAVING - Staff has been receiving numerous questions regarding the Zimovia Highway Paving project. This is actually a State DOT project and it appears that public notifications have been lacking. There also had been no communication with City staff regarding this project. Staff has made initial contact with DOT project staff to address both issues and work began on the project this week. Flaggers will be in place with one lane open and wait times should be minimal.

ECONOMIC DEVELOPMENT:

ALCAN FOREST PRODUCTS – At the June 13, 2013 regular meeting, the Wrangell Planning Commission approved a request for a Temporary Use from Alcan Forest Products to utilize a portion of the fenced in area of the former Wrangell Institute property for log storage, and to construct a logging road through the back portion of the former Institute property to Mental Health Trust land. The request was approved with the following conditions:

- The log storage area will be cleaned of bark and debris and returned to its original state prior to use. If any fuels are spilled, the contaminated area should be excavated and replaced with clean material.
- Establish a permanent gate between the Institute Property and Mental Health lands at the end of the harvest period.
- Provide road signage during use periods to warn of logging truck traffic.
- Install proper culverts over resident creeks for fish passage

The next step in the process would be for Alcan Forest Products to develop a formal proposal that would allow for the Borough Assembly to approve the lease of the property to Alcan to be used according to the conditions prescribed by the Planning Commission. Upon receipt of that proposal, staff will place the item before the Borough Assembly for discussion and approval.

BRASS TAX BUSINESS BASICS - The library will be offering a videoconference about the process of starting a small business. The *Brass Tacks Business Basics* will introduce participants to the fundamentals of entrepreneurship, business planning, and managing a business. This videoconference is scheduled for Thursday, June 27, 2013 at 5:00 PM. Registration is required as materials need to be printed for all attendees and they can register by calling the library.

REPRESENTATIVE VISIT - On May 28, 2013, Representative Jonathan Kreiss Tomkins was in Wrangell on his way home to Sitka from Prince of Wales. Ms. Julie Decker, Chair of the Economic Development Committee and Development Director of Alaska Fisheries Development Foundation and Ms. Rushmore met with Representative Kreiss to discuss Wrangell projects. They drove him around town to look at recently completed, on-going, and future needs of Wrangell.

ALASKA MARINE HIGHWAY – The Alaska Marine Highway System announced that they would no longer be printing a glossy color ferry schedule to mail to prospective travelers as changes occur to the schedule constantly and the brochure is out of date quickly. The brochure did allow communities and businesses to advertise within the brochure to help prospective travelers identify things to do and to help plan on their trip. Communities are working with AMHS to identify other possibilities for the dissemination of information to travelers planning ferry trips.

ELECTRIC:

DIESEL RUN SUMMARY – The following is offered as a summary of the recent annual maintenance/diesel run:

- Load was taken from SEAPA at approximately 7:00 AM on Tuesday, May 28, 2013 and continued online until approximately 3:30 PM on Tuesday, June 4, 2013 when the load was transferred back. Each time the load was transferred, members of the line crew were able to participate in the switching procedure with Thomas Bay Power staff so as to enable all of them to remain current in their Switching Certification. This is done so that in the event switching needs to take place in the SEAPA substation and SEAPA or Thomas Bay Power staff are not available there should always be someone available locally who is qualified to safely perform the procedure.
- This year 41,245 gallons of fuel were consumed during the run, producing 516,009 kilowatt hours of power.
- The peak demand for this year was 3.8 megawatts with an off hour low of 1.9 megawatts.
- The fuel price this year was \$4.001 per gallon for a total fuel expenditure of \$165,023.65
- The fuel efficiency was 12.5 kilowatt hours per gallon giving us a cost per kilowatt of 0.319 . This number is based strictly on gallons of fuel consumed in comparison to kilowatts produced and does not take into account lube oil, labor, or O&M.
- Lube oil consumption was approximately 30% less than last year with a final tally of 215 gallons of make-up oil added. This could be attributed to recent oil changes and crank case clean outs in all the engines over the last 12 months. The old oil was in excess of 10

years old and had reached the end of its expected service life. When used oil becomes diluted over time with unburned fuel and contaminants, it makes its way past the piston rings more easily and gets consumed during the combustion cycle of the engine. This is why an engine with fresh oil consumes less. Lube oil samples are taken at the end of every annual run and lab tested. Those results provide the basis for establishing oil condition as well as trending component wear on specific engines.

- It was evident that getting the word out to the public about conserving power was helpful in limiting the amount of generation needed to support the community this year. Right up until the time of the run we were seeing peak usage in excess of 4.5 megawatts but as soon as the run started that number fell substantially. While weather was a factor, that in itself was not enough to account for almost one whole megawatt of power being shaved from the peak demand cycle. Credit for that needs to go to the community.

PLANNED OUTAGE - SEAPA is in the process of coordinating a short outage - currently scheduled for Monday, June 24, 2013. This will require Wrangell return to diesel power for up to four hours while testing is done to the Wrangell Substation ground grid. This is a follow-up on work performed earlier this month. Analysis indicated a potential anomaly and further testing needs to be done to determine if there is a problem.

SHAKES STREET UNDERGROUND PROJECT - The Shakes Street underground project adjacent to the Cold Storage has been completed. This project involved putting one span of overhead primary power underground and was done to enable the moving of boats from the Marine Service Center to the Ritchie lot across the street without stepping masts or having clearance issues. The project required an approximate 4 hour outage on Shakes Street while the work was performed. The Line Crew came in early so as to minimize the impact to all businesses and residents in the area. The job went smoothly and the system was re-energized without complications.

PAT'S CREEK RIGHT-OF-WAY CLEARING – This project is on hold pending a decision from the State Division of Forestry. In question is whether or not a small number of trees removed adjacent to the creek constituted a stream encroachment. Given that this was a hazard tree mitigation project and not a timber sale, different stream buffer requirements come into play and the Division of Forestry is reviewing the case to see which rules apply. Pending their decision, all that remains is removal of the remaining downed trees that will be offered to the community for use as firewood. A free permit from WML&P similar to the one used for salvaging right of way wood along Spur Road is all that will be required.

If you have any questions regarding this item, please contact Mr. Hammer.

FINANCE:

IMPORTANT DATES – Below is a list of upcoming dates of significance in the Finance Department:

- JUNE 28, 2013 - Ms. Carol Bean's last day with the City and Borough of Wrangell. Ms. Bean. Mr. Jabusch writes that "Ms. Bean is one of the most outstanding employees I have had the pleasure of working with and has made all of us look a little better because of her skills, dedication and hard work." We wish Ms. Bean well in her retirement and her new home in Oregon.
- JUNE 28, 2013 – Tax bills will be mailed. The first half payment is due August 15, 2013 and the second half payment is due December 15, 2013.
- JULY 31, 2013 – Fourth quarter sales tax returns due for the quarter ending June 30, 2013.
- AUGUST 12, 2013 – The City Auditors will be conducting the Annual Audit as is required by law during this week.

LIBRARY:

SUMMER READING PROGRAM - The Summer Reading Program is in full swing and there are 133 children from kindergarten through 9th grade reading and taking computerized tests. There are 132 prizes that have been received for the program and First Bank has donated \$2,500 toward the party favors.

MS. ROBIN GERBER – On Tuesday, August 6, 2013, the library will be hosting Ms. Robin Gerber, a powerful speaker, best-selling author and historian. She has appeared on History Channel and Biography Channel programming, as well as The PBS Newshour, and CBS and FOX channel affiliates. Her articles have appeared in *USAToday*, the *Washington Post*, *The Philadelphia Inquirer* and numerous other newspapers and magazines. Ms. Gerber is Senior Faculty for the Institute for Management Studies where she teaches her popular course on "Authentic Leadership."

Ms. Gerber is the author of the bestseller, *Leadership the Eleanor Roosevelt Way: Timeless Strategies from the First Lady of Courage* (Penguin/Portfolio). Her most recent book is the first biography of the founder of Mattel, Ruth Handler: *Barbie and Ruth: The Story of the World's Most Famous Doll and Woman Who Created Her* (Harper/Collins). Ms. Gerber's book *Katharine Graham: The Leadership Journey of an American Icon* with a foreword by Jim Collins, author of *Good to Great* (Penguin/Portfolio), explores the life of the legendary publisher of *The Washington Post* newspaper.

Prior to becoming an author, Ms. Gerber practiced law in Washington, D.C. and worked on Capitol Hill. She has studied and written about leadership development since 1975.

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ALASKA STATE LIBRARY GRANT – The library will be receiving a collection of board books and toys that are proven to help foster brain development. These items are being made available through an Alaska State Library grant and should be arriving in late-June or early-July.

If you have questions regarding any of the above items, please contact Ms. Jabusch.

MUSEUM:

DONATION - The museum has received a wolverine hide from Fish and Game that was trapped by mistake after the season ended. The trapper requested that it be donated to the Wrangell Museum if possible. We should be receiving this hide in the next few weeks, and will be adding it to the fur collection in the main gallery.

NOLAN CENTER:

WATERSIDE GREEN SPACE - Work is continuing on the waterside green space and staff hopes to have the grass planted soon. This area will become "Pet Free" in order to have an area where citizens and visitors can sit on the grass. There has been a new picnic table donated by the Murkowski family that we will be installed under the covered area former Governor Murkowski is also planning on providing for to the Nolan Center.

INDEPENDENCE DAY – With the Independence Day holiday approaching, staff is currently in the process of hiring someone to patrol the Nolan Center grounds throughout that day. The cost of hiring someone to patrol the area ends up being less than the clean-up and damage caused by the fireworks and other activities throughout the day. It also creates an area for families to sit and rest away from all of the smoke and noise.

ONGOING ACTIVITY - The Nolan Center has had two week long bookings this month and are gearing up for the Oncology Conference we have coming the first of August. The conference should bring over \$50,000 of business into Wrangell. Continuing to bring this level of business activity into Wrangell is as much of a goal as anything when advertising and promoting the Nolan Center and Wrangell as a conference destination.

PARKS AND RECREATIONS:

AQUATICS/POOL - The Wrangell Parks and Recreation finished the first of two yearly Learn-To-Swim swimming lessons. There were thirty-nine children who participated in the lessons. The second swimming lesson sessions will take place from July 15, 2013 through July 26, 2013 and will be held from 3:15 PM to 4:55 PM daily. Registration for these lessons will begin July 1, 2013.

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CHILDRENS SUMMER RECREATION PROGRAM - Parks and Recreation's Summer Recreation, a daily summer camp program for children ages 6 – 11, is in its third week. Participation has been good with as many as nineteen children attending on a given day. Activities include dock fishing, Forest Explorers with the USFS, gardening, golfing, swimming, horseback riding, hiking, craft activities, T-ball, and indoor team sports. Geocaching has been added to the list of activities this year, and I have been asked to lead that activity for two sessions, one on June 28, 2013 and one on July 22, 2013.

ADULT RECREATION PROGRAM - Parks and Recreation is anticipating several teams for the 2013 season of Adult Co-ed Softball. Registration and team rosters are due in the Parks and Recreation office by Friday, June 28, 2013, allowing practice and game schedules to be prepared and implemented.

PUBLIC WORKS:

STREETS - The streets department will be somewhat shorthanded over the next month as several employees take vacations. Crews will continue to perform regular street maintenance along with the large amount of time always spent during the construction season coordinating with contractors and engineers to avoid conflicts between project work and existing utilities.

SOLID WASTE - Alaska DEC was recently in town for an inspection of the former landfill and waste transfer facility. The inspection went very well. As always, there were areas identified for future improvement that will be implemented over the coming year.

SOUTHEAST ALASKA SOLID WASTE AUTHORITY - The City and Borough of Wrangell is waiting for signed contracts to arrive from Allied Waste for signatures by the City and final implementation of the new solid waste contract that was approved by the Borough Assembly on May 28, 2013.

WATER/WASTEWATER - Crews spent a significant amount of time recently in repairing several water main breaks and dealing with associated property damage. By Tuesday evening, crews should be finished with a project extending water and sewer services to recently sold lots in the industrial park. Crews also provided new upgraded services to several other lots around town.

THEATRE:

DIGITAL CONVERSION – Mr. Miles McRae of McRae's Theater Service will be in Wrangell June 26-28, 2013 to install a new digital projection system at the theater. The digital conversion will reduce shipping and payroll costs while increasing the sound and picture quality of films shown at the theater. This conversion will likely result in 'fresher' movies being shown - reducing the lag time between a movie's national release date and its debut in Wrangell.

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The conversion was made possible through the efforts of Mr. Jeff Jabusch, the Public Works Department, and the backing of the Borough Assembly. Without this conversion, the theater would have gone 'dark' as print (35 mm) copies of films are rapidly being replaced by digital technology and will no longer be available in as few as two years.

If you have any questions on this item, please contact Ms. Reed.

ATTACHMENTS:

1. Proposed iPad Policy – Borough Assembly Only
2. Proposed iPad Policy – Borough Assembly, Elected and Appointed Boards and Commissions
3. Timesheet for May 2013

City and Borough of Wrangell**Borough Assembly****Proposed iPad Policy**

1. **Purpose.** The City and Borough of Wrangell recognizes the benefits of utilizing digital communication and information, and supports the utilization of the iPad by the Mayor and Borough Assembly. Users of the iPad acknowledge, understand, and respect the underlying iPad, Internet, and usage philosophy that forms the basis of this policy.
2. **Receipt of iPad.** The Borough Clerk, or designated I.T. professional, will issue iPads that include appropriate applications for use relating to City and Borough business.
3. **Care of iPad.** Users are responsible for the general care of the iPad that they have been issued by the City and Borough of Wrangell. iPads must remain free of any writing, drawing, stickers, or labels that are not the property of the City & Borough. Only a clean, soft cloth should be used to clean the screen.
4. **Employee Information.** Software on iPad. The software and applications installed by the Borough Clerk or designated I.T. professional must remain on the iPad in usable condition and be readily accessible at all times. From time to time, the Borough Clerk or designated I.T. professional may add, upgrade, or remove software applications such that users may be required to check in their iPads with that office for periodic updates and syncing. In the event it becomes necessary to restore an iPad to its original condition, the City and Borough of Wrangell will not be held responsible for the loss of any software or documents deleted due to a re-format and re-image. Any software, email messages, or files downloaded via the Internet becomes the property of the City and Borough of Wrangell and may only be used in ways that are consistent with applicable licenses, trademarks, or copyrights. Files from sources that a user may have any reason to believe may be untrustworthy shall not be downloaded, nor shall files attached to email transmissions be opened and read unless the user has knowledge that they originate from a trustworthy source. Downloaded files and attachments may contain viruses or hostile applications that could damage the City and Borough's information systems. Users will be held accountable for any breaches of security caused by files obtained for non-City and Borough business purposes.
5. **Life of the iPad.** The technological life of the iPads might not exceed three years; therefore, the iPads will be assessed every three years and, if necessary, the City and Borough will purchase upgraded devices pending Borough Assembly approval through the budgeting process.
6. **WARNING – NO PRIVACY.** All communications made via City and Borough-issued devices are subject to disclosure under the Open Records Act or for litigation purposes unless a privilege or exception exists that justifies withholding the information. (For example, attorney/client privileged communication)
7. **Audits.** All iPads are subject to audit by the Borough Clerk or designated I.T. professional. If the iPad is requested by either position for any reason, users have three (3) days to provide the iPad to that office. Upon a request for the iPad for audit purposes, no files, software applications, or communications shall be removed from the device prior to the audit. The iPad should be returned to the user within five (5) business days.

8. **Representations.** In advocating, advancing, or expressing any individual religious, political, or personal views of opinions, users must not misrepresent their statements as official City and Borough policy unless authorized to do so.
9. **Email Usage for City and Borough Business.** For the purposes of activity related to City and Borough business, the user shall conduct all email communication through their assigned City and Borough email account. All emails on the City and Borough email account are archived and retained by the City and Borough. This account shall be synced to the user's individual iPad. Personal email boxes are allowed to be synced to the iPad as well, but all City and Borough-related business must be conducted through the City and Borough email address or copied to the City and Borough email address if the user's personal email box is used
10. **Acceptable Use.** Internet access, when provided by the City and Borough of Wrangell, is to assist elected officials in obtaining data and technology. The following guidelines have been established to help ensure responsible and productive Internet and iPad usage. While Internet usage is intended for communication purposes, incidental and occasional brief personal use is permitted within reasonable limits. All Internet data that is composed, transmitted, or received via the City and Borough of Wrangell's computer communications systems is considered to be part of the official records of the City and Borough of Wrangell and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, users should always ensure that the business information contained in Internet transmissions is accurate, appropriate, ethical, and lawful. The equipment, services, and technology provided to access the Internet remain at all times the property of the City and Borough of Wrangell. As such, the City and Borough of Wrangell reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through borough online connections and stored in borough computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if the user did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

The following behaviors are examples of previously stated or additional actions and activities that are prohibited:

- SENDING OR POSTING DISCRIMINATORY, HARASSING, OR THREATENING MESSAGES OR IMAGES (GRAY LIKE THE REST, AND SAME FONT.)
- USING THE ORGANIZATION'S TIME AND RESOURCES FOR PERSONAL GAIN

- STEALING, USING, OR DISCLOSING SOMEONE ELSE'S CODE OR PASSWORD WITHOUT AUTHORIZATION
- COPYING, PIRATING, OR DOWNLOADING SOFTWARE AND ELECTRONIC FILES WITHOUT PERMISSION
- VIOLATING COPYRIGHT LAW
- FAILING TO OBSERVE LICENSING AGREEMENTS
- ENGAGING IN UNAUTHORIZED TRANSACTIONS THAT MAY INCUR A COST TO THE ORGANIZATION OR INITIATE UNWANTED INTERNET SERVICES AND TRANSMISSIONS
- SENDING OR POSTING MESSAGES OR MATERIAL THAT COULD DAMAGE THE ORGANIZATION'S IMAGE OR REPUTATION
- PARTICIPATING IN THE VIEWING OR EXCHANGE OF PORNOGRAPHY OR OBSCENE MATERIALS
- SENDING OR POSTING MESSAGES THAT DEFAME OR SLANDER OTHER INDIVIDUALS
- ATTEMPTING TO BREAK INTO THE COMPUTER SYSTEM OF ANOTHER ORGANIZATION OR PERSON
- REFUSING TO COOPERATE WITH A SECURITY INVESTIGATION
- USING THE INTERNET FOR POLITICAL CAUSES OR ACTIVITIES, RELIGIOUS ACTIVITIES, OR ANY SORT OF GAMBLING
- JEOPARDIZING THE SECURITY OF THE ORGANIZATION'S ELECTRONIC COMMUNICATIONS SYSTEMS
- SENDING OR POSTING MESSAGES THAT DISPARAGE ANOTHER ORGANIZATION'S PRODUCTS OR SERVICES
- PASSING OFF PERSONAL VIEWS AS REPRESENTING THOSE OF THE ORGANIZATION
- SENDING ANONYMOUS EMAIL MESSAGES
- ENGAGING IN ANY OTHER ILLEGAL ACTIVITIES

11. **Open Meetings Act Compliance.** Except in an emergency, users shall not use email, instant messaging, text messaging, or similar forms of electronic communications at any time during a meeting of the Borough Assembly. Users shall not use the iPad in any way as to violate the Open Meetings Act requirements of the State of Alaska.

12. **User Responsibility.** It is the responsibility of the user to ensure the City and Borough provided iPad is kept in a reasonable and safe condition. iPads must remain free of any writing, drawing, stickers, or labels that are not the property of the City & Borough of Wrangell. Should an iPad be accidentally lost, damaged, or stolen, responsibility for replacement shall be that of the user and not the City and Borough of Wrangell.

13. **Return of the iPad.** Users shall return their iPad to the Borough Clerk or designated I.T. professional when the individual's term and service as Mayor or Assembly Member has ended.

Upon return of the iPad to the City and Borough of Wrangell and following the preparation of any appropriate backup files, the iPad will be wiped clean of any and all information.

14. **Compliance with Policy.** The City and Borough of Wrangell reserves the right to inspect any and all files stored on iPads that are the property of the City and Borough of Wrangell in order to ensure compliance with this policy. The City and Borough of Wrangell also reserves the right to pursue appropriate legal actions to recover any financial losses suffered as a result of violations of this policy. Users do not have any personal privacy right in any matter created, received, stored in, or sent from any City and Borough issued iPad, and the Borough Clerk or designated I.T. professional is hereby authorized to institute appropriate practices and procedures to ensure compliance with this policy. Any violation of this policy may result in discipline as deemed appropriate by the balance of the Borough Assembly.

Proposed Ipad Policy Signature Page

I hereby certify that I have received a written copy of the City and Borough of Wrangell, Borough Assembly iPad Policy form. I have read and fully understand the terms of this policy and agree to abide by it.

Dated: _____

By: _____
(Elected Official's Signature)

(Printed Name)

City and Borough of Wrangell

Borough Assembly and Elected Boards and Commissions

Proposed iPad Policy



1. **Purpose.** The City and Borough of Wrangell recognizes the benefits of utilizing digital communication and information, and supports the utilization of the iPad by the Borough, Borough Assembly, and Commissions. Users of the iPad acknowledge, understand, and respect the underlying iPad, Internet, and usage philosophy that forms the basis of this policy.
2. **Life of the iPad.** The technological life of the iPads might not exceed three years; therefore, the iPads will be assessed every three years and, if necessary, the City and Borough will purchase upgraded devices pending Borough Assembly approval through the budgeting process.
3. **WARNING – NO PRIVACY.** All communications made via City and Borough-issued devices are subject to disclosure under the Open Records Act or for litigation purposes unless a privilege or exception exists that justifies withholding the information. (For example, attorney/client privileged communication)
4. **Audits.** All iPads are subject to audit by the Borough Clerk or designated I.T. professional.
5. **Representations.** In advocating, advancing, or expressing any individual religious, political, or personal views of opinions, users must not misrepresent their statements as official City and Borough policy unless authorized to do so.
6. **Email Usage for City and Borough Business.** For the purposes of activity related to City and Borough business, the user shall conduct all email communication through their assigned City and Borough email account. All emails on the City and Borough email account are archived and retained by the City and Borough. This account shall be synced to the user's individual iPad. Personal email boxes are allowed to be synced to the iPad as well, but all City and Borough-related business must be conducted through the City and Borough email address or copied to the City and Borough email address if the user's personal email box is used
7. **Acceptable Use.** Internet access, when provided by the City and Borough of Wrangell, is to assist elected officials in obtaining data and technology. The following guidelines have been established to help ensure responsible and productive Internet and iPad usage. While Internet usage is intended for communication purposes, incidental and occasional brief personal use is permitted within reasonable limits. All Internet data that is composed, transmitted, or received via the City and Borough of Wrangell's computer communications systems is considered to be part of the official records of the City and Borough of Wrangell and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, users should always ensure that the business information contained in Internet transmissions is accurate, appropriate, ethical, and lawful. The equipment, services, and technology provided to access the Internet remain at all times the property of the City and Borough of Wrangell. As such, the City and Borough of Wrangell reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through borough online connections and stored in borough computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing,

intimidating, or disruptive to any other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if the user did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

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- **SENDING OR POSTING MESSAGES THAT DEFAME OR SLANDER OTHER INDIVIDUALS**
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Proposed Ipad Policy Signature Page

I hereby certify that I have received a written copy of the City and Borough of Wrangell, Borough Assembly iPad Policy form. I have read and fully understand the terms of this policy and agree to abide by it.

Dated: _____

By: _____
(Elected Official’s Signature)

(Printed Name)

City & Borough of Wrangell

Pay Period	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Hours
Regular	8	8	8			8	8	8	8	STK			8	8	8	8	8			8	8	8	8	8			H	8	8			
Overtime																																
Sick Leave																																
Holiday WK																																
Vacation																														8	8	

Total Regular																															
Overtime																															

STK = Sitka to meet with USDA re: WMC Project

Approved By: _____
SupervisorApproved By: Timothy D. Rooney
Borough Manager

I hereby certify that the hours stated hereon are
a true and accurate record of all hours I worked
within this pay period.

Name: Timothy Rooney
EmployeePay Period Ending May 31, 2013

Office Use Only

AL _____	Sal _____ @ _____ =	
SL _____	HR _____ @ _____ =	
OTD _____	OT _____ @ _____ =	
_____	_____ @ _____ =	
_____	_____ @ _____ =	
_____	_____ @ _____ =	
Total	=	

Agenda Item 9

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

BOROUGH CLERK'S FILE:

Mark Your Calendar:

4th of July City Hall will be closed in observance of Independence Day



- 7/11 Planning & Zoning Commission PH & Regular Mtg. @ 7 pm in the Assembly Chambers
- 7/17 Hospital Board Mtg. @ 5:30 pm in the Nolan Center Classroom
- 7/23 Public Hearing & Regular Borough Assembly Mtg. @ 6:30 pm in the Assembly Chambers
- 7/24 Economic Development Committee Mtg. @ 6:30 pm in the Assembly Chambers

Tentative Election Calendar

Attached is a tentative election calendar for the upcoming Regular Borough Election to be held on Tuesday, October 1, 2013. Please let me know if you should have any questions.

Code Review Committee

The next Code Review Committee meeting will be held on July 17, 2013 at 4:00 p.m. in the Assembly Chambers.

Clerks Vacation

I will be taking vacation from July 1st thru July 5th.

Thank you,
Kim Flores

Sheet intentionally blank

TENTATIVE REGULAR ELECTION CALENDAR FOR OCTOBER 1, 2013

<u>Date</u>	<u>Task to be completed</u>
___ June 25	Reserve Nolan Center for Election Day
___	Introduce and Ballot Propositions in the form of an <u>Ordinance</u> or Resolution (<u>Approve First Reading</u> or Adoption)
___ July 23	Create one master file for Election
___	Hold Public Hearing for any Ballot Propositions (Approve Second Reading)
___	Contact Division of Elections and ask for Accu-vote unit to be shipped Gold Streak to arrive no later than September 9th at the latest
___	<u>Publish Notice to City Voters</u> – Qualifications Publish dates: 8/1, 8/8, 8/15, 8/22, & 8/29
___	<u>Publish Declaration of Candidacy Notice</u> - <i>Declaration dates: 8/1-8/30/13 as per WMC 2.16.010</i> Publish dates: 7/25, 8/1, 8/8, 8/15, 8/22, & 8/29
___	Notify ballot programmer (Dominion Voting, Debby Kraft) and ballot printing company (Print Works, Kevin Fraley) - deadline for receiving ballots: September 9th at the latest
___	Select and contact four (4) Election Workers
___	Write letters to those whose terms expire, i.e. Mayor, Assembly, Port Commission, WMC Board, and School Board
___ July 29	Preclearance Letter Mailed to Dept. of Justice (i.e. Ballot Propositions)
___	Prepare Declaration of Candidacy forms for filing to be ready to distribute on 8/1/13
___ Aug 1	Declaration of Candidacy Filing Begins.
___	Write letters to those whose terms expire on the City Boards and Commissions

- _____ **Publish Public Notice** for City Boards and Commissions vacancies
Publish dates: 8/8, 8/15, 8/22, & 8/29

- _____ Aug 12 **Send memory cards (2) to Dominion Voting** to be reprogrammed

- _____ Aug 15 **Publish Public Notice of Regular Election/ Ballot Proposition(s) up**
until Election Day
Publish dates: 8/22, 8/29, 9/5, 9/12, 9/19 & 9/26

- _____ **Publish Public Notice for Absentee Voting**
Publish dates: 8/22, 8/29, 9/5, 9/12, 9/19 & 9/26

- _____ Aug 30 **Last Day to file Declaration of Candidacy**

- _____ **Publish Public Notice** for Write-in Candidates & Votes
Publish 9/5, 9/12, 9/19 & 9/26

- _____ **Prepare and send Official Ballot, Sample Ballot, and Election Setup Paperwork to Dominion Voting**

- _____ Contact PrintWorks regarding quantity of sample, test and official ballots

- _____ Sept 1 **Deadline to Register to Vote** for 10/1/2013 for the Regular Election

- _____ Sept 2 Labor Day – City Hall Closed

- _____ Sept 3 Request Master Voter Register Listing and Voter List (for absentee) from the Division of Elections (to be used on Election Day)

- _____ Send letter to Nolan Center confirming use of precinct

- _____ Send letters to Election workers regarding election workshop date

- _____ Sept 10 Adopt Resolution designating Canvass Board

- _____ Send letters to bars/liquor stores regarding closure on 10/1/2013

- _____ **Receipt of memory cards (2) from Dominion Voting**

- _____ **Possession of sample, test, and official ballots. Test ballots first before using!!**

- ___ **Publish** Sample Ballot in newspaper and other conspicuous places.
Publish 9/19 & 9/26
- ___ Prepare Absentee voting by fax register and all other absentee voting in person materials
- ___ Sept 12 **Publish Public Notice** for Canvass Board
Publish 09/19 & 09/26
- ___ **Sept 16** **First Day to Absentee Vote in Person, by mail, or by fax**
- ___ Sept 27 **Publish Public Notice** of Special Meeting to be held on Oct. 7th @ 12:00 pm to
Certify Election
Publish 10/3
- ___ Train Election Workers @ 1:00 pm
- ___ Last Day to file for Write-Ins
- ___ Sept 30 Last Day to Absentee Vote in Person
- ___ **Oct 1** **ELECTION DAY 8:00 AM TO 8:00 PM at Nolan Center**
- ___ Oct 3 **Canvass Board meets** and tallies absentee, questioned, and possible challenged ballots in council chambers (1:00 pm)
- ___ Oct 7 **Certify Election results and Administer Oath of Office** at 12:00 pm at Special Assembly meeting
- ___ Oct 8 Send letters to those voters whose ballots were not counted

(within two weeks following election, mail out all copies of registers, floppies, registrations, etc., to the Division of Elections)

Agenda Items 10 a & b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the Mayor and Assembly Member's special reports. Such information items as municipal league activities, reports from committees on which members sit, conference attendance, etc., are examples of items included here.

Item 10a Reports by Assembly Members

Item 10b Appointment to fill the vacancy on the Planning & Zoning Commission

There were _____ letters of interest received for the unexpired term until October 2014 from:

RECOMMENDED ACTION

Appointment to be filled by the Mayor with the consent of the assembly for the unexpired **term ending October 2014**

Recommended Action if not approved with the consent of the Assembly:

Motion: Move to appoint _____ to fill the vacancy on the Planning & Zoning Commission for the unexpired term up until **October 2014**.

*If there were **no** letters of interest received, the Borough Clerk will continue to advertise for letters of interest to fill the vacancy.*

Agenda Item 13a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

INFORMATION:

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA TO ADJUST THE RATE OF CONSUMER SALES TAX LEVIED WITHIN THE CITY AND BOROUGH OF WRANGELL, ALASKA

Attachments

1. Proposed Ordinance
2. Letter to sponsors regarding Petition for Initiative Ordinance, dated September 6, 2013
3. Sufficiency of Initiative Petition, dated November 30, 2012

RECOMMENDED ACTION:

Move to approve first reading and move to a second with a public hearing to be held on July 23, 2013

CITY AND BOROUGH OF WRANGELL

ORDINANCE No. 869

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND
BOROUGH OF WRANGELL, ALASKA TO ADJUST THE
RATE OF CONSUMER SALES TAX LEVIED WITHIN THE
CITY AND BOROUGH OF WRANGELL, ALASKA

BE IT ORDAINED BY THE VOTING CITIZENS OF THE CITY AND
BOROUGH OF WRANGELL, ALASKA.

SEC. 1 Action. The purpose of this ordinance is to adjust the rate of Consumer sales tax within the City and Borough of Wrangell. This ordinance amends Section 5.08.020 of the Wrangell Municipal Code.

SEC. 2 Amendment. Section 5.08.020 of the Wrangell Municipal code is amended as follows:

The words: "The consumer sales tax is levied in the amount of seven percent of the sales price" are stricken from Section 5.08.020 of the Wrangell Municipal Code and replaced with the words, "The consumer sales tax is levied in the amount of five and one half percent (5.5%) of the sales price."

SEC. 3 Effect of the Amendment. The effect of this ordinance is that Section 5.08.020 of the Wrangell Municipal Code is amended to read in its entirety:

The consumer sales tax is levied in the amount of five and one half percent (5.5%) of the sales price of all retail sales, on all rents, and on all services, made, paid or performed within the municipality.

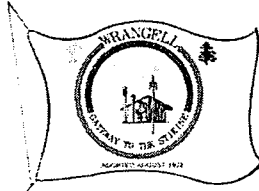
SEC. 4 Classification. This is a permanent code ordinance.

SEC. 5 Initiative Election. The Proposition to approve this ordinance would adjust the rate of consumer sales tax levied within the City and Borough of Wrangell, Alaska, and shall Ordinance No. 869 of the Borough authorizing the sales tax adjustment be approved, and that the Proposition be submitted to the qualified voters of the Borough for approval or rejection at the next regular borough election, to be held October 1, 2013.

CITY AND BOROUGH OF WRANGELL

PROPOSITION 1

Kim Flores, Borough Clerk



City & Borough of Wrangell, Alaska
P.O. Box 531
Wrangell, Alaska 99929
Ph: (907) 874-2381
Fax: (907) 874-3952 or 874-2304
clerk@wrangell.com

September 6, 2012
Via US Mail and Email

Ernie Christian
P.O. Box 428
Wrangell, AK 99929
echristian@aptalaska.net

Rhonda Dawson
P.O. Box 575
Wrangell, AK 99929
rhondainwrangell@hotmail.com

Re: Petition Booklets for Initiative Ordinance

Dear Mr. Christian and Ms. Dawson:

The Petition booklets for the Initiative Ordinance to adjust the Rate of Consumer Sales Tax Levied within the City & Borough of Wrangell from seven percent (7%) to five and one half percent (5.5%) be placed on the ballot for the next Regular Borough Election to be held October 1, 2013 shall be prepared and will be ready for pickup at my office, no later than the afternoon of September 6, 2012.

As the contact person, you are responsible for notifying sponsors that the petition will be available at that time. In reference to WMC 2.32.030 (C), copies of the petition shall be provided by the clerk to each sponsor who appears in the clerk's office and requests a petition, and the clerk shall mail the petition to each sponsor who requests that the petition be mailed.

Per WMC 2.32.040 (A), the signatures on an initiative or referendum petition shall be secured within 90 days after the clerk issues the petition.

Letter to Mr. Christian and Ms. Dawson
September 6, 2012
Page 2 of 2

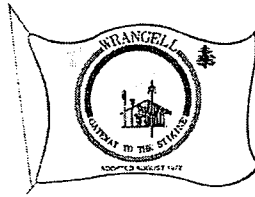
Also, per WMC 2.32.050 (A), all copies of an initiative or referendum petition shall be assembled and filed as a single instrument.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kim Flores".

Kim Flores
Borough Clerk

cc: Mayor/Assembly Members
Borough Manager
Borough Attorney



City & Borough of Wrangell
P.O. Box 531
Wrangell, AK 99929
Ph: 907-874-2381
clerk@wrangell.com

November 30, 2012
Via US Mail and Email

Ernie Christian
P.O. Box 575
Wrangell, AK 99929
echristian@aptalaska.net

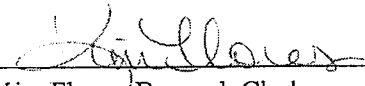
Rhonda Christian
P.O. Box 575
Wrangell, AK 99929
rhondainwrangell@hotmail.com

Re: Sufficiency of Initiative Petition

Dear Mr. & Mrs. Christian:

Upon review and in consultation with the Borough Attorneys, I hereby certify that the Initiative Petition to adjust the Rate of Consumer Sales Tax Levied within the City & Borough of Wrangell from seven percent (7%) to five and one half percent (5.5%) is sufficient and filed with the City and Borough of Wrangell.

There were a total of 113 valid signatures received as of November 21, 2012, of which 94 signatures were needed.



Kim Flores, Borough Clerk

11-30-12
Date:

cc: Mayor and Assembly Members
Borough Attorney
Borough Manager

Agenda Item 13b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

INFORMATION:

Approval of Boat Yard Lot Leases; Lots 5, 6 & 7, located in the Wrangell Marine Service Center Area

Attachments

1. Memorandum from Port Commission Recording Secretary Carol Bean, dated May 23, 2013.

RECOMMENDED ACTION:

Move to approve the following leases:

Boat Yard Lot 5 – Jim Pritchett, dba J.P. Welding, \$500.00 per month

Boat Yard Lot 6 – Josh Young, dba J & R Fiberglass Repair, \$740.00 per month

Boat Yard Lot 7 – Don Sorric, dba Superior Marine, \$475.00 per month

Wrangell Port Commission

Memo

To: Borough Clerk

From: Carol Bean, Recording Secretary

Date: 5/23/2013

Re: Marine Service Center Leases

At the regular meeting of the Wrangell Port Commission on May 2, 2013, the commission approved the following bids for the leases in the Marine Service Center.

Lot 5 to Jim Pritchett for \$550 per month
Lot 6 to Josh Young for \$740 per month
Lot 7 to Don Sorric for \$475 per month

Agenda Item 13c

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

INFORMATION:

Discussion and possible action relating to a Special Public Notice (SPN) POA-2012-138 – Southeast Watershed Coalition Mitigation Fund

Attachments

1. Southeast Alaska Watershed Coalition Mitigation Fund - U.S. Army Corps of Engineers Alaska Dist. Special Public Notice (SPN) POA-2012-138

RECOMMENDED ACTION:

Assembly Discussion.



US Army Corps
of Engineers
Alaska District

Date: May 14, 2013
Expiration: June 12, 2013

Identification No:
SPN POA-2012-138

SPECIAL PUBLIC NOTICE (SPN) POA-2012-138

U.S. Army Corps of Engineers Regulatory Program The Southeast Alaska Watershed Coalition Mitigation Fund

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Alaska District (Corps) is seeking comments on a proposal to establish an in-lieu fee program. A prospectus describing the proposed program has been received from the program sponsor, the Southeast Alaska Watershed Coalition (SAWC) and is attached to this notice (Enclosure 1). On October 29, 2012 the Corps published a Special Public Notice for SAWC's proposed in-lieu fee program. After review of comments received SAWC has updated their prospectus and has submitted the document for further review.

The Term "in-lieu fee program" refers to a program involving the restoration, establishment, enhancement, and/or preservation of aquatic resources through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements. Similar to a mitigation bank, an in-lieu fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu fee program sponsor. The operation and use of an in-lieu fee program are governed by an in-lieu fee program instrument.

The Southeast Alaska Watershed Coalition Mitigation Fund in-lieu fee program is being proposed as a means to meet the requirements for compensatory mitigation associated with projects, which may be permitted by the Corps. If the program is approved, it would provide an alternative to permittee-responsible mitigation. The program would be designed and administered in a manner consistent with the Final Rule for Compensatory Mitigation for Losses of Aquatic Resources, which was published in the Federal Register on April 10, 2008. This Public Notice is focused solely on the Federal review and approval process. Regardless of whether the proposed program is approved, the Corps is willing to consider other proposals from qualified entities to develop in-lieu fee mitigation projects.

The Corps has convened an Interagency Review Team (IRT) comprised of Federal and State agencies. This team will work with SAWC to create an instrument and legal agreement that specifies watershed-based aquatic resource objectives, default and closure provisions, reporting protocols, and financial accounting requirements. If the instrument is approved, individual mitigation plans will be prepared as in-lieu fee project sites are identified. These plans would be incorporated as amendments to the instrument. Additional Tribal and local representatives may be invited to join the IRT during review of individual mitigation projects.

The prospectus, which outlines the purpose and structure of the proposed program, is attached to this notice. Comments should be submitted to the Corps, and should be received no later than the expiration date of this public notice. Comments received in response to this notice will be provided to SAWC and the IRT.

Please provide comments to the following:

Alaska District, Corps of Engineers
Attn: CEPOA-RD (Mr. Matthew Brody)
P.O. Box 22270
Juneau, Alaska 99802
Matthew.T.Brody@usace.army.mil

This Special Public Notice can also be access at:

<http://www.poa.usace.army.mil/Missions/Regulatory/SpecialPublicNotices.aspx>

District Engineer
U.S. Army, Corps of Engineers



SOUTHEAST ALASKA
WATERSHED COALITION
CONNECT - INFORM - PARTICIPATE

The Southeast Alaska Mitigation Fund **Prospectus**

In Lieu Fee Compensatory Mitigation Program

Submitted To:

U.S Army Corps of Engineers, Alaska District: Juneau Regulatory
Office, Juneau, AK

Program Sponsor:

Southeast Alaska Watershed Coalition
P.O. Box 1203, Haines AK, 99827
alaskawatersheds@gmail.com
(907) 766-3745

Prepared by:

Jessica Kayser, Director, Southeast Alaska Watershed Coalition
With support from Ben Kirkpatrick, Fish Habitat Biologist

April 10, 2013

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1. Introduction

Permits for activities conducted in jurisdictional waters of the United States, including streams and wetlands, are required by the U.S. Army Corps of Engineers (COE) through Section 404 of the Clean Water Act (CWA) of 1972 and Section 10 of the Rivers and Harbors Appropriation Act of 1899. Under the CWA Section 404 program permitting process, the COE requires that unavoidable losses of aquatic resource functions and values through permitted actions be replaced through compensatory mitigation (33 CFR Parts 325 & 332 and 40 CFR Part 230).

The Clean Water Act prohibits the discharge of materials, such as rock, soil or sand, into waters of the United States, unless authorized by a permit issued under Section 404 of that act. The COE, or a state program approved by the U.S. Environmental Protection Agency (EPA), has authority to issue such permits and to decide whether to attach conditions to them in order to achieve no net loss of wetlands within the Section 404 program. Compensatory mitigation requirements for impacts to wetlands and streams in Alaska can be met through permittee-responsible compensatory mitigation, mitigation banks, or in-lieu fee (ILF) programs.

This prospectus refers to the development of an ILF program that will offer third-party compensatory mitigation for unavoidable, regulated impacts. The proposed ILF program name is The Southeast Alaska Watershed Coalition Mitigation Fund. The Southeast Alaska Watershed Coalition (SAWC), an Alaska, non profit community-based natural resource management coalition will sponsor this program.

This prospectus outlines the circumstances and manner in which The Southeast Alaska Watershed Coalition Mitigation Fund will serve to satisfy compensatory mitigation requirements of the COE Regulatory Program.

The COE, Juneau Regulatory Division, Alaska District administers In-Lieu Fees (“Funds”) contributed for unavoidable impacts to waters of the United States including streams and wetlands that result from activities authorized under Section 401 and 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act. To establish and operate the SAWC ILF Program, SAWC will work cooperatively with an Interagency Review Team (IRT) that is established and chaired by the COE to ensure the program Instrument meets the requirements of the Final Rule on Compensatory Mitigation: Mitigation for Losses of Aquatic Resources; Final Rule (33 CFR Parts 325 and 332 and 40 CFR Part 230) dated April 10, 2008 (hereinafter referred to as the 2008 Final Rule). Once the Program is certified and operational, the IRT will play an integral role in reviewing proposed mitigation receiving sites and mitigation plans.

The steps required for those seeking approval for an in-lieu fee program have been clearly defined in the 2008 Final Rule. The first step towards seeking program approval is the submission of a prospectus to the IRT for review and comment. It is strongly recommended that potential sponsors submit a draft prospectus to the Corps for initial comment- SAWC did submit a draft prospectus to the Corps and IRT on March 23, 2012. Based upon the IRT working groups and the consultation SAWC received the coalition has adapted the initial Draft Prospectus and strived to incorporate agency comments and concerns into this Prospectus. One of the new requirements for ILF programs is that they go through two rounds of IRT review and two rounds of public review and comment in the program approval process in order to strengthen the final

program Instrument and ensure multiple stakeholder perspectives are taken into consideration and acknowledged within the final Instrument.

The Prospectus for all proposed in-lieu fee programs must include the following:

1. Objectives
2. How the in-lieu fee program will be established and operated
3. Proposed Service Area
4. Need and technical feasibility
5. Ownership arrangements and long-term management
6. Sponsor Qualifications
7. Compensation Planning Framework
8. Description of program account

The remainder of this document makes up the Prospectus for The Southeast Alaska Watershed Coalition Mitigation Fund sponsored by SAWC. Based on comments and suggestions received from the public and natural resource management agencies SAWC will develop the Draft Instrument and Final Instrument. Each document builds upon the last and requires additional information and specification that further details program operation and structure. Again, the purpose of the Prospectus is to provide a broad overview of the program. There are components of an in-lieu fee program that are significant but are not present in this document because they are not required until the sponsor is developing the draft Instrument. These include, method for determining project specific credit and fees and draft fee schedule, advance credit plan, default and closure provisions and reporting protocols.

2. Program Objectives

The primary objective of The Southeast Alaska Mitigation Fund is to replace area lost and/or the functions and values of aquatic resources and associated habitats that have been impacted as a result of permitted activities conducted in compliance or in violation of Section 404 of the Clean Water Act of 1972 and/or Section 10 of the River and Harbor Act of 1899. The program is intended to strive to uphold the national policy goal of “no net loss” to aquatic resources through the establishment and management of restoration, enhancement, creation, and preservation sites within target watersheds in the geographic service area.

The SAWC ILF Program will serve as one option available to permit applicants to provide compensatory mitigation for unavoidable impacts to jurisdictional waters of the U.S. Under this program, public and private applicants for COE permits may be allowed to pay into a mitigation fund instead of- or in addition to- performing permittee responsible mitigation. These funds will be used to carryout mitigation projects that have been identified by the program sponsor and IRT as appropriate compensatory mitigation sites on either private and/or public lands.

Furthermore, the 2008 Final Rule states that mitigation is most successful when it is based upon a “watershed approach” and provides strategies and processes for the district engineer, IRT and program sponsor to follow in mitigation site selection and project prioritization. In order to meet its primary objective of replacing aquatic resources this program will make mitigation decisions utilizing a “watershed approach”. The objective of a watershed approach, as defined in the 2008 Final Rule, is to maintain and improve the quality and quantity of wetlands and other aquatic

resources in a watershed (additional information on the watershed approach and site selection and prioritization can be found in Section 7 -the Compensatory Planning Framework).

The primary goal of The Southeast Alaska Watershed Coalition Mitigation Fund will be to maintain and improve the quantity and quality of aquatic resources throughout Southeast Alaska. To accomplish this goal SAWC has incorporated the following objectives into the ILF Program:

1. Provide habitat restoration or enhancement as an option to mitigate for unavoidable, site-specific impacts to aquatic resources in Southeast Alaska.
2. Utilize a watershed approach as defined in the 2008 Final Rule to identify the most appropriate off-site mitigation options available.
3. Work in an efficient and transparent manner with the IRT, chaired by the COE, to review, analyze, and implement mitigation projects and enact amendments to the Program Instrument.
4. Utilize scale efficiencies by combining the impacts from individual smaller projects within each 8-digit HUC watershed into consolidated (larger) mitigation sites with greater ecological value.
5. Develop a program that identifies, prioritizes, and completes mitigation projects that collectively produce a no net resource loss on a watershed scale over time.
6. Provide an effective and transparent accounting structure for collecting in-lieu fees, disbursing project funds, and compliance reporting, as required under the 33 CFR § 332.8.
7. Provide public benefit by applying mitigation resources, deemed appropriate by the IRT, toward the restoration/enhancement of ecologically impaired publicly owned and those privately owned lands, which have important ecological value to the watershed.

3. How the in-lieu fee program will be established and operated

SAWC is incorporating as a private, non-profit Alaska corporation that will operate as a qualified ILF mitigation program sponsor for COE-authorized third-party mitigation services. The Southeast Alaska Watershed Coalition Mitigation Fund will be one of a few compensatory mitigation options available for use after permit applicants in Southeast Alaska have achieved avoidance and minimization of impacts to aquatic resources. The proposed program structure and processes for completing mitigation projects are based largely upon guidance outlined in the 2008 Final Rule issued in April 2008 by the U.S. Army Corps of Engineers and U.S. Environmental Protection Agency (EPA) [33 CFR Part 332 and 40 CFR Part 230]. Ultimately it is the goal of this program and the IRT to carryout compensatory mitigation projects that are commensurate with the amount and type of impact occurring and replace the lost resources at an equal or greater value.

The establishment, use, operation, and management of SAWC's approved ILF Program will be carried out in accordance with the following principal authorities.

A. Federal:

1. Rivers and Harbors Act of 1899 (33 USC § 403)
2. Federal Water Pollution Control Act (33 USCA §§ 1251 to 1387.)
3. Regulatory Programs of the Corps of Engineers, 2008 Final Rule (33 CFR Parts 320- 332)
4. Memorandum of Agreement between the Environmental Protection Agency and the Department of the Army concerning the Determination of Mitigation Under the Clean Water Act, Section 404(b)(1) Guidelines (February 6, 1990)
5. U.S. Army Corps of Engineers Regulatory Guidance Letter 05-1, Guidance on Use of Financial Assurances, and Suggested Language for Special Conditions for Department of the Army Permits Requiring Performance Bonds, U.S. Army Corps of Engineers, February 14, 2005
6. Guidelines for the Specification of Disposal Sites for Dredged and Fill Material (40 CFR Part 230, Section 404(b)(1))
7. National Environmental Policy Act (42 USC §§ 4321 et seq.)
8. Council on Environmental Quality Procedures for Implementing the National Environmental Policy Act (40 CFR Parts 1500-1508)
9. Executive Order 11990 (Protection of Wetlands)
10. Executive Order 11988 (Floodplains Management)
11. Executive Order 13112 (Invasive Species)
12. Fish and Wildlife Coordination Act (16 USC §§ 661 et seq.)
13. Fish and Wildlife Service Mitigation Policy (46 FR 7644-7663, 1981)
14. Endangered Species Act (16 USC §§ 1531 et seq.)
15. Magnuson-Stevens Fishery Conservation and Management Act (16 USC §§ 1801 et seq.)
16. National Historic Preservation Act, as amended (16 USC § 470)

It is the intent of the sponsor that this program be established and operated in a collaborative manner with the IRT members (as described below) and potential mitigation site project partners.

The proposed IRT is the group of representatives from Federal and State regulatory and resource agencies that will provide guidance regarding the establishment and management of the Program pursuant to the provisions of the programs Final Instrument. The IRT consists of:

1. Chair: COE, Alaska District, Juneau Regulatory Office
2. EPA, Region 10
3. National Oceanographic and Atmospheric Administration, National Marine Fisheries Service Habitat Conservation Division (NOAA/NMFS)
4. U. S. Fish and Wildlife Service (USFWS), Conservation Planning Assistance Program
5. Alaska Department of Environmental Conservation (DEC)

6. United States Forest Service, Tongass Forest
7. Other relevant parties as invited by the Chair and/or the Sponsor on a project-by-project basis.

The role of the IRT is to:

- Assist the COE in their role as chair of the IRT;
- Review of the *Draft Prospectus*, Prospectus, and Draft Instrument and Instrument of ILF Program;
- Evaluate mitigation plans;
- Review monitoring reports;
- Recommend adaptive management measures;
- Approve credit releases to agreed-upon projects.

As sponsor of the program, SAWC will be responsible for all roles required of a program sponsor in 33 CFR Part 332.8, including:

- Ensuring the success of compensatory mitigation for which fees have been collected (*performance standards will be defined in project mitigation plans and will support the measured success of each project*).
- Maintaining accounting ledgers, tracking all fees collected and expenditures (*this system will be further defined in the Draft Instrument*).
- Monitoring and maintaining mitigation projects developed under the program.
- Attaining IRT approval for mitigation plans and expenditures from the ILF account.
- Maintaining sufficient funds for the long-term management (as defined in the project mitigation plan) of mitigation projects (*this system will be further defined in the Draft Instrument*).
- Annually reporting on the progress and status of the program including financial accounting reports, credit transaction reports, mitigation receiving site monitoring and progress toward success, status of long term management endowment account, amount of mitigation provided for authorized impacts/fees collected, and any changes in land ownership or transfers of long term management responsibilities.

The ILF Instrument will provide authorization for the ILF program to provide credits and receive funds from applicants to satisfy compensatory mitigation requirements for Clean Water Act permits (§404 (B)(1) Guidelines (40 CFR 230.10(c)) and other regulated activities. The ILF Instrument will describe the program elements required by 33 CFR §§ 332.8 (6)(ii) & 332.8 (6) (iv), specifically:

1. Credit and debit accounting procedures
2. Provisions stating legal responsibility to provide compensatory mitigation
3. Default and closure provisions
4. Reporting requirements and protocols
5. Project selection criteria through a compensation planning framework (see section 7-*Compensation Planning Framework*)
6. Advance credits

7. Method for determining project-specific credits and fees and fee schedule
8. Description of the ILF program account (see section 8- *Description of Program Account*)

As projects are identified, SAWC will submit site-specific mitigation plans to the COE for review and approval. This is a separate review process for each proposed in-lieu fee project. Any time SAWC would like to implement a new mitigation project or add new acreage to an existing projects, it must submit a project mitigation plan, go through a public review and comment phase, and go through formal IRT review. This process ensures each mitigation site is well planned in advance with specific ecological performance standards and a long-term management plan. Mitigation plans will include the following information required by 33 CFR §§ 332.4 (c)(I)(iii) & 332.8 (i)(e).

1. Objectives
2. Site selection rationale § 332.2(d)
3. Site protection instrument § 332.7(a)
4. Baseline information
5. Determination of credits § 332.2(f)
6. Mitigation work plan
7. Maintenance plan
8. Performance standards § 332.5
9. Monitoring requirements § 332.6
10. Long-term management plan §§ 332.7 & 332.8(u)
11. Adaptive management plan § 332.7(c)
12. Financial assurances § 332.3 (n)

Once the program is approved to provide compensatory mitigation for unavoidable impacts to the waters of the United States, credits will be sold to Section 404 permittees. The funds received from permittees will be consolidated and used to implement identified and prioritized mitigation projects. In Southeast Alaska regulated activities are often dispersed across large areas and over time. Therefore achieving compensatory mitigation may sometimes benefit from combining funds from several permit applicants. At the IRT's discretion project funds may be disbursed among adjacent or disparate watersheds to ensure timely delivery of mitigation commitments as required in the final rule.

Compensatory mitigation projects will be selected based on an analysis of their ability to mitigate for impacts and provide measureable ecological benefits. The over-reaching goal is to maintain and restore the quantity and quality of aquatic resources within the service area.

To ensure successful operation of the ILF program SAWC will value fee amounts by setting credit prices that will allow the sponsor to meet all of the requirements of the 2008 Final Rule. Much criticism has been levied against in-lieu fee programs over the years for setting credit prices too low and failing to cover all of the costs necessary to deliver the promised mitigation.

The 2008 Final Rule states that the cost per credit must be based on "full cost accounting" – all the costs associated with the restoration, establishment, enhancement, and/or preservation of aquatic resources. The 2008 Final Rule lists the specific activities that may be considered in setting credit fees. These are:

- Land acquisition
- Permitting
- Project planning and design, including site selection
- Construction and inspection
- Plant materials
- Legal fees
- Monitoring
- Maintenance and or adaptive management activities
- Program administration
- Contingency costs appropriate to the stage of project planning, including uncertainties in construction and real estate expenses
- The resources necessary for the long- term management and protection of the in-lieu fee project, including compliance inspection.
- Financial assurances that are necessary to ensure successful completion of in-lieu fee projects

Additionally, the rule states third party mitigation programs will use funds generated from credit sales for program administration. The program administration for this ILF programs are describe in part as follows:

(1) A percentage of funds generated (not to exceed 15% of total fees collected) will defray administrative costs associated with operation of the ILF program. Examples of administrative costs include: staff time; planning and project identification costs; landowner contacts; contaminants investigations; meetings with the IRT, watershed representatives, and project partners; developing conservation easements and other legal protections for project sites; reporting; accounting; and others.

(2) In addition to this 15% administrative cost, the sponsor will also create two separate contingency accounts. The first will represent a contingency held separately for each project to defray unanticipated costs associated with maintaining the long-term success of the project. The second will be a general contingency that will be deposited into a program-wide contingency account to ensure long-term viability of the ILF program. This general contingency account will provide financial assurances for unexpected costs such as easement defense or others that may arise affecting several projects or the ILF program as a whole. SAWC will work with the IRT- during the Draft Instrument phase- to determine a standard percentage of a total project site cost to be deposited into these two contingency accounts. All other fees collected will be used by SAWC for project implementation, which will include, but may not be limited to: design, construction, construction oversight, site monitoring up to the time of credit release (do we

anticipate calling SAWC ILF fees credits?), and perpetual protection of mitigation sites which may include easement or fee title purchase, project site fencing, and others.

Once the COE has required the permittee to pay an appropriate credit amount, SAWC and/or SAWC partners will agree to accept legal responsibility for satisfying the mitigation requirements for all COE, for which mitigation fees from a permittee have been accepted under the terms of the program's instrument. Any transfer of mitigation responsibility is contingent upon the prior approval of the Corps.

Based on the 2008 Final Rule SAWC expects the following responsibilities of the COE – as Chair of the IRT- in establishing and operating the program

A. The COE agrees to provide appropriate oversight in carrying out their responsibilities under the provisions of the 2008 Final Rule and any special considerations written into the Programs final Instrument.

B. The COE agrees to review and provide comments on project plans, monitoring reports, contingency and remediation proposals, and similar submittals from the SAWC in a timely manner.

C. As IRT Chair, the COE will coordinate their review with the other members of the IRT.

D. The COE agrees to review requests to provide guidance in the development of the SAWC ILF Program Prospectus, Draft Instrument and Final Instrument. As well as, once the program is approved, the COE agrees to review requests to modify the terms of the Instrument, to transfer title or interest in any real estate subject to the program, to determine achievement of performance standards in order to evaluate the award of credits for each phase of the Program's mitigation projects, or to approve the Long-Term Management Plans. As Chairs, the COE will coordinate review with the members of the IRT so that a decision is rendered or comments detailing deficiencies are provided in a timely manner. The COE agrees to not unreasonably withhold or delay action on such requests.

E. The COE agrees to act in good faith when rendering decisions about acceptability of financial assurances, requiring corrective or remedial actions, requiring long-term management and maintenance actions, and releasing credits. The COE shall exercise good judgment in accessing financial assurances, and will utilize those monies only to the extent they reasonably and in good faith conclude that such remedial or corrective actions are an effective and efficient expenditure of resources. In implementing this process the COE will act in good faith in determining the scope and nature of corrective actions to be undertaken, shall act in good faith in conducting monitoring, developing reports, and assessing compliance with performance standards; and will not unreasonably limit options available as corrective action activities or otherwise apply their discretion so as to unduly prejudice the Sponsor regarding the timing or number of credits released. Approval by the COE of the identity of any assignee responsible for executing the Long Term Management Plan, and approval of the terms of any long-term management assignment agreement, will not be unreasonably withheld.

F. The COE will periodically inspect the mitigation sites as necessary to evaluate, in consultation with the other members of the IRT, the achievement of performance standards, to assess the results of any corrective measures taken, to monitor implementation of Long Term

Management Plans, and, in general, to verify SAWC's compliance with the provisions of the programs approved Instrument.

Upon satisfaction of the requirements of any mitigation site phase under the approved Instrument, the COE will certify, following consultation with the SAWC and the other members of the IRT, that the establishment period of a mitigation site has terminated, all credits associated with the site have been released, and that the site has entered the long-term management phase. Certification will occur upon the SAWC's receipt of a letter issued by the COE to the Sponsor confirming that all credits are released.

The 2008 Final Rule, requires all ILF programs to have a Compensation Planning Framework as part of the program's prospectus and final instrument (§332.8(d)(2)(vii). The compensation-planning framework is a detailed and extensive section of the prospectus and instrument that is "used to select, secure, and implement aquatic resource restoration, establishment, enhancement, and/or preservation activities."¹ This element of the in-lieu fee program instrument was added to the 2008 Final Rule to improve the practice's "accountability and performance" of ILF programs. Please refer to the compensation-planning framework in this prospectus for information, including site selection, prioritization, and implementation of the SE Alaska Mitigation Fund.

4. The proposed service area

(The ILF program service area is described in more detail in the Compensation Planning Framework section)

The service area for the SAWC ILF Program is the organization's existing area of focus servicing municipalities, tribes and local organizations throughout Southeast Alaska. Common usage describes Southeast Alaska as a coastal ecosystem located between 55 and 60 degrees latitude, extending about 500 miles from the Canadian border (south of Ketchikan) northwest to Yakutat Bay and roughly 120 miles in width. Southeast Alaska encompasses about 22 million acres. Within this vast region, SAWC is relying on established USGS Hydrologic Unit Code (HUC) delineations, which are defined by watersheds for program management purposes. These identifications of watersheds assist in framing a regional analysis that complements the 2008 Final Rule's focus on compensatory mitigation on a watershed basis.

Existing delineations define the SE Alaska service area watersheds and organize available aquatic resource data and management information, as follows:

- The U.S. Geological Service identifies four 6-digit and eleven 8-digit Hydrologic Unit 26 Codes: 19010101 – 19010401 covering the watersheds in the Service Area. (Natural Resources Conservation Service; www.ak.nrcs.usds.gov/technical/southeasternhucs.html)
- The U.S. Forest Service identifies 22 Biogeographic Provinces comprised of groups of watersheds, with further delineation of 926 "Value Comparison Units" (VCU) within the provinces. Each VCU generally encompasses a drainage basin (watershed) with one or more large stream system and includes estuaries and adjacent marine habitats associated

¹ 2008 Final Rule (§332.8(c)(1))

with the terrestrial drainage system (*Tongass National Forest Land and Resource Management Plan*, 1997; 2008).

- The Nature Conservancy and Audubon Alaska further combine the Forest Service's 22 Biogeographic Provinces into five sub-regional groupings based on climate, physiography, and plant distribution and provide watershed-scale information in a GIS format (*The Coastal Forests & Mountains Ecoregion in Southeastern Alaska and the Tongass National Forest*, 2007).

SAWC will rely on these watershed delineations in mitigation project identification and will maintain records using both the 8-digit USGS HUC and the biogeographic province nomenclature. SAWC will attempt, to the extent workable, to match mitigation projects within and/or near the watershed that received the unavoidable permitted impact.

The fees for jurisdictional impacts in each of the eleven 8 digit HUCs in Southeast Alaska will be collected and combined to fund mitigation projects in that HUC. In situations deemed appropriate by the IRT and Sponsor, the SAWC's ILF program funds may be used to compensate for an impact that occurs outside of the 8-digit HUC impacted. If the COE determines that SAWC has sold, used, or transferred credits at any time to provide compensatory mitigation for loss of aquatic resources outside of the HUC where the impact occurred without prior approval under the terms of this instrument, the COE, in consultation with other applicable members of the IRT, may direct that the sale, use, or other transfer of credits immediately cease. The COE will determine, in consultation with the IRT, SAWC, and the appropriate regulatory authority, what remedial actions are necessary to correct the situation.

5. The general need for and technical feasibility of the proposed in-lieu fee program

Commercial, urban and rural development, road and utility infrastructure, industrial sites, historic logging practices, and other human actions have altered aquatic habitat in Southeast Alaska. Valuable freshwater wetlands and estuarine habitat have been filled and/or isolated; stream channels have been blocked, straightened and disconnected from their floodplains; forests and riparian areas have been degraded by legacy issues; sections of the coastline have been degraded or lost due to habitat modifications and water pollution; and abandoned crab pots, fishing nets and other gear litter the bottom of the ocean floor near and around Southeast communities.²

Despite a nationwide goal of no-net-loss of wetlands, Southeast Alaska and the State continue to experience losses to the functions and values of wetlands, streams, riparian areas and other aquatic resources. Based on a gap analysis conducted by the SAWC three central factors have been identified as contributing to these losses: 1. Actions being permitted under the Section 404 and Section 10 programs without credible mitigation plans and projects that meet the requirements of the 2008 Final Rule, 2. A lack of identified and prioritized mitigation projects

² Alaska Region Step-down Plan 2007-2011; Partners for Fish and Wildlife and http://www.fs.fed.us/r10/tongass/projects/timp/2003_monitoring_report/17.5_wetlands.pdf

and, 3. A lack of third party mitigation programs operating in Southeast Alaska and the State that offers restoration, enhancement and creation opportunities.

Currently there are two ILF programs in Southeast Alaska that offer preservation opportunities to Section 404 and Section 10 permit applicants- The Southeast Alaska Land Trust and the Great Alaska Land Trust. There are no *active* third party mitigation programs (mitigation banks and/or in-lieu fee programs) that carryout restoration, enhancement and/or creation to offset unavoidable permitted impacts to aquatic resources in Southeast Alaska.

Federal regulations have identified in-lieu fee programs as one potential option to correct some of the shortcomings in existing mitigation techniques. A regulatory program that includes an ILF program provides the opportunity for consolidating compensatory mitigation projects and resources to target more ecologically significant functions, provide financial planning, provide scientific expertise, reduce temporal loss of function, and reduce uncertainty about project success. By consolidating resources and utilizing scientific expertise, this program will provide applicants an appropriate mitigation option for offsetting unavoidable impacts in a timely manner.

The population of Southeast Alaska region is expected to grow in coming years. In addition to pressures on Southeast Alaska's biogeographical regions from general population growth in certain communities, existing industry and land uses will continue to expand. This expected growth and development does and will continue to require more effective mitigation.

At this time- there are no state-wide or regional processes, structures or strategies that support third party mitigation programs in Southeast Alaska. SAWC is the only natural resource organization that is addressing and building awareness about aquatic resource mitigation- in the form of restoration/enhancement/creation in the region. There are limited natural resource managers and professionals in the region who are well informed and have an in depth understanding of the 2008 Final Rule. The COE regulatory office in Juneau has a staff of two, which means COE regulatory staff located in Anchorage are approving permit applications for impacts occurring in Southeast Alaska. Natural resource managers and conservation organizations all agree that the technical capacities of one entity to effectively carryout mitigation projects and manage the sites associated with an in-lieu fee program does not currently exist in Southeast Alaska. After a review of past restoration projects carried out in Southeast Alaska it is obvious that the majority of projects require partnerships between various organizations as well as the landowner(s) in order to develop project designs, construct the project, monitor the project over the long-term, and secure a site projection mechanism.

Therefore, SAWC is proposing to create strategic restoration partnerships with Mitigation Fund Partners (Appendix c)- for each mitigation project- with the agencies, organizations and consultants that are addressing aquatic resource management issues and carrying out restoration projects near and around the program's proposed site. SAWC is confident that the technical needs required to meet the objectives of the proposed ILF program are feasible. SAWC with oversight from the COE and IRT will undertake specific mitigation plans that compliment the organizational capacity of SAWC, as well as the technical expertise of the partnering organizations. See Section 7 for more information on qualification of sponsor and partners to carryout proposed structure.

Communities, scientists, government, tribes, natural resource managers, contractors and conservation groups are ripe with interest to utilize Section 404 and Section 10 mitigation funds to restore, enhance and create aquatic habitat in Southeast Alaska. Acting as a coalition, SAWC has access to extensive scientific resources, organizational partners, and technical service contractors to support its mitigation activities. Drawing from its network of natural resource professionals and managers that represent diverse stakeholder groups, including resource agencies, tribes, municipalities, industry, non-profit organizations, the Alaska State Legislature and environmental consultants and contractors SAWC will be able to respond to the technical requirements of this ILF program. Technical needs and requirements include mitigation site selection and prioritization, mitigation project design and construction, long-term monitoring of project site, data collection and storage and financial management.

6. The proposed ownership arrangements and long-term management strategy for the in-lieu fee project sites

SAWC will consider mitigation projects on public or private lands based on site-selection criteria within a watershed, which will be detailed in the ILF Instrument. Private properties with existing conservation easements or equivalent protections as well as lands held and protected by state, federal, tribal, or other entities in the public trust present opportunities to optimize mitigation on a watershed scale as land costs may represent one of the largest component costs of a mitigation project. Mitigation sites on private land will be protected by permanent conservation easement, deed restrictions, or other legal instruments as provided in the 2008 Final Rule. SAWC intends to partner with statewide and regional land trust entities that can hold a conservation easement or fee title to property on which mitigation is conducted, as well as other land owners both public and private who have the authority to hold legal instruments that dictate land and resource use.

Long-term stewardship and management of in-lieu fee project sites can take many different shapes. In some cases, the in-lieu fee sponsor is a government agency or non-profit conservation organization with land conservation as a mission and the sponsor fully intends to retain ownership and management responsibilities for project sites. In other cases, the in-lieu fee sponsor may intend to transfer the project sites to another entity for ownership or long-term management. In these cases, mitigation project sponsors may have difficulty securing a long-term steward until after the project is further along and the risks are clearer (i.e., the site is completed and meeting performance standards). As a result, the in-lieu fee instrument and project-specific mitigation plan(s) generally identify the sponsor as the long-term steward (the “default” long-term steward). Long-term management and funding then can be transferred to another party with the approval of the district engineer and IRT at some later point. This, presumably, holds true for the portion of the long-term management plan that describes long-term management needs (e.g., annual cost estimates for these needs) and how those needs will be financed.

SAWC will work with the IRT to develop a Final Instrument and mitigation plans under the proposed program that addresses the several different aspects of long-term management of mitigation sites, such as the long-term site protection duration and instrument, the long-term management activities themselves, the party responsible for long-term management, the

mechanism(s) for financing long-term management activities, and if and how the responsibility and funding for long-term management will be transferred to another entity.

Following the project performance period (process of implementing mitigation project and carryout project tasks), mitigation projects will be managed in accordance with long-term stewardship guidelines. Credit pricing will include costs associated with long-term management and monitoring of ILF mitigation receiving sites. In addition to long-term monitoring and management specified in the ILF program instrument, the ILF sponsor will protect ILF sites used for mitigation in perpetuity. SAWC has several legal mechanisms whereby its approved ILF Program compensatory mitigation properties could receive long-term protection and management:

1. SAWC can partner with a land trust to execute and hold a conservation easement on certain properties with willing public or private landowners.
2. SAWC can partner with a property owner that holds a conservation easement.
3. SAWC can partner with an appropriate public agency and place deed restrictions (per 2008 Mitigation Rule 33 CFR 332.7(a)).

Under the ILF Program, the specific project mitigation plan or terms of a project-specific conservation easement would clearly describe the conservation values being protected and the permitted/prohibited uses/activities for each project site. In accordance with 33 CFR 332.6, the mitigation plan for each mitigation site identifies the specific monitoring required for that specific site. The ILF Program legal instrument between the COE and SAWC will require reporting of all monitoring actions.

For projects on private lands, the ILF sponsor must require that a site protection mechanism, such as a conservation easement or restrictive covenant, be placed on the land. The site protection mechanism must grant the sponsor access for monitoring and enforcement, and stipulate long-term protection obligations.

Regardless of the legal mechanism protecting the mitigation site, SAWC or an identified partner in the Project Mitigation Plan will be responsible for long-term management of the site. The long-term management strategy will include the following components:

1. Specific needs for long-term success of the project including a general discussion of watershed and functional benefits that will be considered. Generally, the long-term management strategy for a project will consider long-term sustainability of the project where restoration and enhancement activities provide self-sustaining processes to produce and maintain aquatic resource benefits.
2. Each ILF project will meet the COE's Alaska District long-term protection requirements. Agreements will require that project sites be protected from adverse future land uses with a permanent conservation easement, deed restriction, or other legal mechanism. SAWC will submit a proposal for permanent conservation easement, deed restriction, or other legal mechanism to the COE and the IRT for review and approval prior to release of credits. Enactment of protection may serve as the basis for release of advance credits as identified in the credit release schedule.

3. Mitigation projects may be conducted by SAWC on lands protected by easements held by a separate land trust entity. SAWC may either continue to assume responsibility for long-term management or delegate monitoring and/or management responsibilities to that land trust entity. However, it may be most advantageous or necessary to transfer responsibility for long-term management to a third party; e.g. where property owners request that a single entity hold the easement and provide long-term management. Where long-term management becomes the responsibility of a third party, a Stewardship Management Agreement may be presented to the COE for approval that describes how the third party will implement the strategy. In either case, the responsible party will maintain long-term management funds sufficient to ensure long-term protection of the site.

4. Monitoring of mitigation sites will be required for a minimum five-year period. However, the COE may release credits prior to completion of the five years if it believes it is warranted. The COE may require longer periods of monitoring when necessary; e.g. where an ILF project involves restoring forested wetlands, to ensure performance standards are met.

5. Mitigation projects will involve deposits to both a project-specific and a general, program-wide contingency account. SAWC or a SAWC partner- that has agreed to assume monitoring and/or long-term management responsibilities for a project- may hold these long-term management funds.

Accomplishment of Sponsor Responsibilities; Transfer of Ownership of a Mitigation Site:

SAWC will remain responsible for complying with the provisions of the final Instrument throughout the operational life of the Program, regardless of the ownership status of the underlying real property where mitigation sites are located, unless those responsibilities have been re-assigned. The SAWC is not required to, but may transfer ownership of all or a portion of the mitigation sites' real property interest to another party, provided the COE, expressly approves the transfer in writing. The SAWC will provide no less than 60 days written notice to the IRT of any transfer of fee title or any portion of the ownership interest in the Program real property interest to another party.

Transfer of Long Term Management Responsibilities: The Sponsor may assign its long-term management responsibilities to a third party assignee, which will then serve as Long-Term Steward in place of the Sponsor. The identity of the assignee and the terms of the long-term management and maintenance agreement between the SAWC and the assignee must be approved by the COE following consultation with the IRT, in advance of assignment.

Upon execution of a long-term management assignment agreement and the transfer of the contents of the Long-Term Management Account, and upon satisfaction of the remaining requirements for termination of the establishment phase of the ILF Program, SAWC shall be relieved of all further long-term management responsibilities under this Instrument, which are associated with the site for which responsibilities have been transferred.

Funding for ownership agreements and long-term management:

Mitigation Fees will comprise of two fees: a Credit Fee and a Land Fee. The Credit Fee price will reflect average costs for implementing all components of a mitigation project. Once in operation for a few years SAWC will strive to adapt an average Credit Fee for each 8-digit HUC

based on cost analyses of recent projects completed by The Southeast Alaska Watershed Coalition Mitigation Fund.

The Land Fee prices will be based on an analysis of average cost of recent land acquisitions made by various stakeholders including the Southeast Alaska Land Trust ILF program within different areas and zoning categories.

As the 2008 Final Rule requires, the Mitigation Fee prices will thus be formulated to reflect full-cost accounting for establishment and management of mitigation sites, which includes: costs associated with site selection, permitting and design, construction, monitoring and maintenance, **long-term management, program administration, contingencies and property right acquisition.**³

7. The qualifications of the sponsor

SAWC is a natural resources management coalition and is committed to the strategic conservation and promotion of the aquatic, natural, and cultural resources in communities throughout Southeast Alaska. The mission of SAWC is to inspire Southeast Alaskans and support community organizations to wisely manage our watersheds. SAWC does this by facilitating a professional network for natural resource practitioners, offering trainings to build local and state natural resource management capacities and providing aquatic resource mitigation services to municipalities, tribes, landowners, resource management agencies, industry, and the private sector throughout Southeast Alaska.

The Southeast Alaska Watershed Coalition Mitigation Fund will serve the critical need for identifying mitigation opportunities and establishing mitigation projects where private mitigation banks do not exist, lack available credits, or are not expected to begin operating in the foreseeable future. The ILF program can strengthen SE Alaska's ability to mitigate and conserve its aquatic resources. Additionally, the ILF Program may collaborate, by contributing mitigation-based restoration elements to projects with other entities, including public agencies, watershed groups, conservation organizations, land trusts, and others. Partnering with other restoration ventures is in the public interest. The ILF program can mobilize mitigation funds for larger-scale restoration projects, including those where mitigation funds alone may be insufficient to implement restoration at an effective watershed scale

To meet the needs of each mitigation project, the best available science will be incorporated along with an appropriate monitoring program to evaluate the effectiveness of the implemented strategies and inform adaptive management. The IRT and other relevant experts will review the mitigation and monitoring plans of each project site to ensure the greatest chance of success.

Below is a list of events and/or services that SAWC has facilitated and/or presented that demonstrates the qualifications of SAWC as *the* natural resource management organization in Southeast Alaska that understands the goals and objectives of the 2008 Final Rule for mitigation providers offering *restoration, enhancement and creation* opportunities to permit applicants. SAWC's investment in facilitating trainings, regional scoping discussions and workshops to build the institutional knowledge of local, regional and state organizations and agencies and the

³ 33 CFR 332.8(o)(5)(ii)

awareness of the public of the CWA Section 404 has been significant over the past three years. SAWC has demonstrated that it has the capacity to facilitate and coordinate an aquatic resource mitigation program that meets the requirements of the 2008 Final Rule and is committed to supporting the COE in achieving the functional lift of aquatic resources in the Southeast region. SAWC has reached over 200 southeast Alaskan natural resource professionals through the following events:

1. *Scoping Discussion: Wetland and Aquatic Resource Mitigation*, October 21st, 2011, Juneau Alaska. 43 participants; including 5 COE staff and 20 other agency staffer. Presenters: COE, FS and USFWS Staff and WA mitigation experts. (SAWC, 2011).
2. *Clean Water Act Section 404 Program and Identifying and Planning for Mitigation in Your Community*, Public Meeting with Borough, Tribes, Local Agency Staffers, Petersburg AK, October 17th 2011.
3. *Clean Water Act Section 404 Program and Identifying and Planning for Mitigation in Your Community*, Public Meeting with Borough, Tribes, Local Agency Staffers, Wrangell AK, October 18th 2011.
4. *Introduction to Wetland Functional Assessments and Delineations to support Permitting Process*, Haines AK, August 12th, 2011. Trainers: COE Staff
5. American Water Resources Association, Alaska Section 2012 Annual Conference. Juneau March 2012. *Developing a Third Party Aquatic Resource Mitigation Program and the Need for Science to Inform Credible Mitigation in Southeast Alaska*.
6. *Wetland Functional Assessment Training: WESPAK-SE*, Haines AK September 20th 2012. Trainer: Dr. Paul Adamus
7. Sub-contractor with PND Engineers to conduct the functional assessments and support the development of the Mitigation Plan for the Petersburg Drive Down Facility. Petersburg, 2012.
8. Sub-contracting with Chilkoot Indian Association to support the development of a Wetland Management Plan with the Tribe and Haines Borough staffers. Haines AK. January 1, 2013- 2016.

SAWC recognizes that, though it has an in-depth understanding of the 2008 Final Rule and developing an ILF program, it does not have extensive experience conducting on-site mitigation. Based on the extensive needs assessments conducted by SAWC over the past three years there is no *one* organization, agency, and/or environmental consultant operating in Southeast Alaska that understands the requirements listed in the 2008 Final Rule nor that has the experience and expertise to conduct all stages of a restoration, enhancement and creation project from site selection to long-term monitoring. The Southeast Program Director for Trout Unlimited, Alaska emphasized this point in an email dated March 13, 2013:

“In my mind it is the very lack of comprehensive expertise on the part of any one group which makes partnerships essential and why organizations in the region gravitate towards them. At TU-AK we have particular experience and expertise in bringing funding resources to a project and influencing decision makers and the public to support restoration. However, we rely on and partner with the FS/USFWS/SCS/NOAA to provide the science, engineering and monitoring expertise. “

Multiple organizations and contractors coming together to carryout mitigation projects is not an uncommon process. Across the country ILF programs facilitate partnerships to carryout mitigation. SAWC has worked with COE staff and the IRT since 2009 to develop a structure for this ILF program- similar to ILF programs in WA, OR, NH and ME. These ILF programs invest in and capitalize on the expertise of organizations operating in the program service area to carryout various elements of the mitigation projects.

SAWC, the COE, and other regulatory agencies understand that in order to uphold the requirements of the Section 404 program it is in their best interest and the best interest of the public to support the development of an ILF mitigation program that brings together the diverse expertise in the region needed to ensure mitigation sites are planned and carried out in a way that meets the 2008 Final Rule.

Throughout SE Alaska, conservation organizations, state and local agencies, tribes and municipalities collaborate to identify, plan, and execute watershed protection, restoration and enhancement projects that meet salmon recovery, ecosystem conservation, water quality improvement and other federally and state mandated and local natural resource management objectives. These largely grant-funded collaborative efforts have a successful track record restoring the impacts to aquatic resources in both rural and urban communities. The main objective of The Southeast Alaska Watershed Coalition Mitigation Fund is to support and bolster these successful collaborations in a mitigation context.

SAWC will work with **Mitigation Fund Partners** and **Mitigation Fund Service Providers** to carryout the mitigation plans for each mitigation site.

Mitigation Fund Partners are those organizations, local, state and federal agencies, tribes, and municipalities that have the capacity and experience administrating and/or acting as a project manager for aquatic resource restoration, enhancement, creation, and preservation within the 8 digit HUC's that make up the program's service area. Mitigation Fund Partners will be considered by SAWC and the IRT, with final approval by the COE, to provide project management and/or long term monitoring activities that are carried out under the Mitigation Fund. In order to be considered a Mitigation Fund Partner SAWC must receive a statement of qualifications and how the services being offered will support the operations of the ILF program. The list of qualification for these entities will be made available on the SAWC website and will be presented to the IRT on a yearly basis as updates and changes are made annually to the list by the program manager. The program sponsor has identified “Local” Mitigation Fund Partners and “Regional” Mitigation Fund Partners. A list of qualifications for each Partner can be found in the Appendices. Local Partners operate within a specific 8 digit HUC, where Regional Partners offer their services across Southeast Alaska.

Mitigation Fund Technical Service Providers are those entities that provide technical services that support the mitigation of aquatic resources throughout Alaska and the greater Pacific Northwest region. These entities will provide contractual services to carryout specific elements of mitigation projects. This list does not include all of the potential Service Providers, however, it does identify the expertise that does exist and is available to SAWC and Mitigation Fund Partners to draw upon to ensure successful mitigation. Similar to the list of Mitigation Fund Partners, SAWC will keep a list of potential Service Provides that will be made it available to the IRT on a yearly basis as the program manager makes updates and changes annually to the list.

At the time this instrument is signed the program sponsor will focus program resources towards the 8-digit HUC watersheds within the service area where the coalition has established Mitigation Fund Partners. In addition, the type of projects the program carries out will match the experience and expertise of the Mitigation Fund Partners and Technical Service Providers.

Listed below are the local and regional Mitigation Fund Partners and Technical Service Providers that SAWC has established relationships with at the time this Instrument is being developed. These entities have vetted the Southeast Alaska Mitigation Fund and have the capacity and expertise to support mitigation activities under the ILF program. In the table below, the *Watershed of Operation* column is the 8-digit HUC watershed within the service where the program sponsor will focus its mitigation activities at the onset of the program. Please see the service area map in Appendix A to reference specific HUC names and locations. Again, this list is not a comprehensive list of all potential partners and contractor operating in the region. The Technical Service Providers listed below have provided SAWC Mitigation Fund Partners with technical expertise to accomplish various elements of habitat restoration activities and/or have been contracted by SAWC to support in the development of the Southeast Alaska Mitigation Fund.

Mitigation Fund Partner List

Organization and Name of Restoration Contact	Expertise	Watershed of Operation (8digitHUC)
Local Partners		
City and Borough of Yakutat Bill Lucey: Planning and Natural Resources	Aquatic resource restoration project management, watershed research and assessment, wetland delineations	Yakutat Bay HUC
Takshuanuk Watershed Council Brad Ryan: Executive Director	Aquatic resource restoration project management, watershed research and assessment, wetland functional assessments	Chilkat Skagway HUC
Sitka Conservation Society Scott Harris: Watershed Restoration Coordinator	Aquatic resource restoration project management, watershed research and assessment, watershed prioritization	KKMEZW HUC

Juneau Watershed Partnership	Aquatic resource restoration project management and assessment	Lynn Canal HUC
The Nature Conservancy, Alaska Norman Cohen: Executive Director	Aquatic resource restoration project management, watershed research and assessment, site prioritization	Ketchikan HUC
The Nature Conservancy, Alaska Norman Cohen: Executive Director	Aquatic resource restoration project management, watershed research and assessment, site prioritization	Prince of Wales HUC
Regional Partners		
The Nature Conservancy, Alaska Norman Cohen: Executive Director	Aquatic resource restoration project management, watershed research and assessment, site prioritization	Southeast Region
The Southeast Alaska Land Trust Diane Mayer: Executive Director	Aquatic resource mitigation in the form of preservation	Southeast Region
Trout Unlimited, Alaska Mark Kaelke: Southeast Alaska Director	Project funding acquisition, pre-project implementation coordination. Contract development and awards	Southeast Region
United States Fish and Wildlife Service, Coastal Program Neil Stichert: Juneau Field Office	Aquatic resource mitigation, specifically Fish Passage, assessment	Southeast Region
United States National Forest, Tongass National Forest Sheila Jacobson: Fish Biologist	Aquatic resource mitigation, watershed research and assessment, watershed inventory and prioritization	Southeast Region

Mitigation Fund Technical Service Provider

Contractual Service Provider and Point of Contact	Expertise	Region(s) of Service
Herrera Integrated Environmental and Engineering Services Mark Merkelbach:	Fish passage, bank stabilization, Engineering, design and on-site construction management assistance	Pacific North West and Alaska
DowlHKM Brad Melocik	Hydrologic analyses, Fish passage design, Flood hazard analysis, Permitting	Alaska

Waterman Mitigation Partners Steve Sego	Permitting mitigation projects including site selection, permit support, design coordination, site monitoring and maintenance	Washington, Oregon and Southeast Alaska
Ecological Land Services Francis Naglich:	Wetland delineations, Functional assessments, mitigation banking, wetland creation, land and easement acquisition	Washington, Southeast Alaska
Interfluve Dan Miller, PE	Wetland creation/enhancement, design, construction oversight, mitigation planning, fish passage design	Pacific Northwest, Alaska
<i>Please note: there are other identified contractors who work with Mitigation Fund Partners on a regular basis throughout the service areas. These contractors are listed in the "Statement of Qualifications" of the Mitigation Fund Partners. See Appendix</i>		

In addition to the watershed expertise listed above SAWC has developed specific organizational partnerships with The Nature Conservancy (TNC) and the Southeast Alaska Fish Habitat Partnership (SEAKFHP), in order to, enhance and facilitate the flow of relevant and scientifically based information and services regarding aquatic resource management and mitigation throughout the programs entire service area.

Once the ILF program is certified SAWC will utilize the expertise within its Mitigation Fund Partners to support the identification of mitigation sites and ensure mitigation plans are equipped with the best available science.

SAWC will utilize the expertise of the SEAKFHP Science and Data Committee and Steering Committee to inform the development and review the ecological performance standards and monitoring protocols at the mitigation sites to ensure functional lift of aquatic resources.

8. The Compensation Planning Framework:

The *Compensation Planning Framework for The Southeast Alaska Watershed Coalition Mitigation Fund* presents the condition of aquatic resources, and the historic losses and potential threats to those resources (due to urbanization, local and regional transportation infrastructure, hydropower development and transmission, resource development, etc.) as best possible considering aquatic resource impacts have not been tracked in a systematic way that is available to the public and third party mitigation programs in Alaska. The compensation-planning framework (the Framework) explains how the ILF Sponsor will use permittee-provided fees to mitigate aquatic resources on land parcels to offset impacts to aquatic functions and services throughout the service area. Further, the Framework identifies the ILF Program goals and objectives, and a strategy for prioritizing the selection and implementation of mitigation projects

a. The geographic service area(s), including a watershed-based rationale for the delineation of each service area;

The service area for the SAWC ILF Program is the organization's existing area of focus servicing municipalities, tribes and local organizations throughout Southeast Alaska. Common usage describes Southeast Alaska as a coastal ecosystem located between 55 and 60 degrees latitude, extending about 500 miles from the Canadian border (south of Ketchikan) northwest to Yakutat Bay and roughly 120 miles in width. Southeast Alaska encompasses about 22 million acres. Within this vast region, SAWC is relying on established USGS Hydrologic Unit Code (HUC) delineations, which are defined by watersheds (8 digit HUC) for program management purposes. These identifications of watersheds assist in framing a regional analysis that complements the 2008 Final Rule's focus on compensatory mitigation on a watershed basis.

Existing delineations and planning documents define the SE Alaska service area watersheds and organize available aquatic resource data and management information, as follows:

- The U.S. Geological Service identifies four 6-digit and eleven 8-digit Hydrologic Unit 26 Codes: 19010101 – 19010401 covering the watersheds in the Service Area. (Natural Resources Conservation Service; www.ak.nrcs.usds.gov/technical/southeasternhucs.html)
- The U.S. Forest Service Watershed Condition Framework for Southeast Alaska: <http://apps.fs.usda.gov/WCFmapviewer/> offers ratings of the condition of the USFS managed watersheds.
- The U.S. Forest Service identifies 22 Biogeographic Provinces comprised of groups of watersheds, with further delineation of 926 "Value Comparison Units" (VCU) within the provinces. Each VCU generally encompasses a drainage basin (watershed) with one or more large stream system and includes estuaries and adjacent marine habitats associated with the terrestrial drainage system (*Tongass National Forest Land and Resource Management Plan*, 1997; 2008).
- The Nature Conservancy and Audubon Alaska further combine the Forest Service's 22 biogeographic provinces into five sub-regional groupings based on climate, physiography, and plant distribution and provide watershed-scale information in a GIS format (*The Coastal Forests & Mountains Ecoregion in Southeastern Alaska and the Tongass National Forest*, 2007).
- The Alaska Department of Environmental Conservation list of Impaired Waterbodies identified for water quality improvements
- The Alaska Department of Fish and Game Southeast Alaska Fish Passage Culvert Inventory. Now in its third year of inventory, assessing and mapping stream/road crossings in Southeast Alaska, this program offers improved access to fish passage information in the region.

SAWC will rely on these regional delineations and assessments in mitigation project identification and will maintain records using both the 8-digit USGS HUC and the more broadly defines biogeographic province nomenclature. SAWC will attempt, to the extent workable, to match mitigation projects within and/or near the watershed that received the unavoidable permitted impact.

The fees for jurisdictional impacts in each of the twelve 8-digit HUCs in Southeast Alaska will be collected and combined to fund mitigation projects in that HUC. In situations deemed appropriate by the IRT and Sponsor, the SAWC's ILF program funds may be used to compensate for an impact that occurs outside of the 8-digit HUC impacted.

To meet its primary objective of maintaining and improving the quantity and quality of aquatic resources in Southeast Alaska SAWC and the IRT will make mitigation decisions utilizing a "watershed approach". The 2008 Final Rule states that mitigation is most successful when it is based upon a "watershed approach" and provides strategies and processes for the district engineer, IRT and program sponsor to follow in mitigation site selection and project prioritization. Making mitigation decisions according to a "watershed approach" is an important requirement of the 2008 Final rule, and is a guiding principle for The Southeast Alaska Watershed Coalition Mitigation Fund. The 2008 Final Rule states:

"Watershed approach means an analytical process for making compensatory mitigation decisions that support the sustainability or improvement of aquatic resources in a watershed. It involves consideration of watershed needs, and how locations and types of compensatory mitigation projects address those needs. A landscape perspective is used to identify the types and locations of compensatory mitigation projects that will benefit the watershed and offset losses of aquatic resource functions and services caused by activities authorized by DA permits. The watershed approach may involve consideration of landscape scale, historic and potential aquatic resource conditions, past and projected aquatic resource impacts in the watershed, and terrestrial connections between aquatic resources when determining compensatory mitigation requirements for DA permits." [33 CFR 332.2]

At this time the state of Alaska does not have comprehensive and coordinated aquatic resource mitigation policies and strategies to support third party mitigation programs identify and prioritize mitigation sites using a watershed approach- like those in WA, OR, NC, and/or MT. However various stakeholder groups in Southeast Alaska have developed a wealth of information and data about the ecological conditions of Southeast Alaska watersheds to use in making decisions about implementing mitigation according to a *watershed approach* as required in the 2008 Final Rule.

For example, the following regional resources provide a great deal of information that will enable mitigation decisions to be made according to a watershed approach. The Nature Conservancy in partnership with the Audubon Society developed *A Conservation Assessment and Resource Synthesis for the Coastal Forests and Mountains Ecoregion in Southeastern Alaska and the Tongass National Forest*. This assessment identified the core watersheds of high biological value of both intact and impacted watersheds throughout Southeast Alaska. In addition the Forest Service has recently completed its Watershed Condition Framework, which has helped set restoration priorities for the next 5 years in watersheds located in the Tongass Forest. Both of these assessments provide regionally appropriate and meaningful information regarding aquatic resource needs within watershed in Southeast Alaska.

In addition to information related to regional assessment of watershed conditions, there are also resources available regarding conditions within a particular watershed based on a smaller scale. These natural resource management plans and land use plans will also help guide the process for making decisions using a watershed approach. Examples of these types of resources and plans include but are not limited to: The *Pullen Creek Action Plan*, the *Taiya Inlet Stream Condition Assessment* and the *Stormwater Best Management Practices Manual for the City of Skagway* developed by the Taiya Inlet Watershed Council and the United States Fish and Wildlife Service, the *Hoonah Community Forest*, *The Kake Community Forest*, and the *Wrangell Community Forest* sponsored by the Southeast Alaska Conservation Council, the *Haines Area Fish Passage Inventory* completed by the Takshanuk Watershed Council and USFWS, *The Peterson Hill Creek Watershed Mapping and Conservation Plan*, the *Auke Lake Watershed Assessment* and the *Vanderbilt Creek Watershed Recovery and Management Plan* and the *Jordan Creek Urban Hydrography Mapping and Stormwater Management Plan* developed by the Juneau Watershed Partnership, and the *Staney Community Forest Project* sponsored by The Nature Conservancy.

Collectively, these reports, plans and analyses provide a more complete picture of how the ecological conditions in watersheds throughout Southeast Alaska have changed through time in the face of development, and which aquatic functions within a watershed are most important to protect and/or restore; this body of work will provide a solid scientific basis (as well as information about societal value of resources) for making decisions about how to implement mitigation that will achieve “no-net-loss” policies and have the greatest benefit to aquatic resources in Southeast Alaska.

Depending on which 8-digit HUC is receiving impacts and therefore needs mitigation sites SAWC will do a thorough aggregation of the plans, reports, and documents within that HUC in order to ensure mitigation site identification and prioritization process is being carried-out utilizing existing scientific information and a watershed approach.

The information available to guide mitigation decisions is by no means static. Scientists and planners in SE Alaska continue to collect new data, perform new analyses and employ innovative methods in examining the ecological systems across the region landscape. As new reports and analyses become available, they will be added to the resources informing mitigation decisions through the SAWC and be incorporated by reference into this instrument.

b. A description of the threats to aquatic resources in the service area(s), including how the in-lieu fee program will help offset impacts resulting from those threats;

This analysis of the current conditions of aquatic resources and the potential threats to these resources in Southeast Alaska is based on a review of region-wide or local publications and online information sources including, but not limited to Alaska Department of Fish and Game Catalog of Anadromous Waterbodies Catalog, DEC Total Maximum Daily Load reports, EPA/DEC list of impaired Waterbodies, TNC and Audubon Conservation Assessment for Southeast Alaska, the Forest Service’s Tongass Watershed Framework, the National Wetland Inventory and Juneau Watershed Partnership Resource Library. Given the size of the service area, SAWC did not perform site-specific field documentation for this Compensation Planning

Framework. As a result site-specific field documentation will accompany all Project Mitigation Plans. Examples of site-specific mitigation information will be presented in the Draft Instrument.

From a regional perspective, the potential future threats that aquatic resources face depend on the extent that resource development (timber harvest, mining, energy, and small-scale activities), intraregional highway and power transmission, and community redevelopment or expansion occur. In general, future community and resource developments in Southeast Alaska -- and the associated, unavoidable impacts to aquatic resources -- are likely to be similar to those that have occurred in the past. We do not anticipate unfamiliar development activities to occur that would have unique or unusual impacts on aquatic resources not already experienced in Southeast Alaska. Thus, the types of historic impacts to aquatic resources discussed below are also those that may occur in the future, although the extent, severity and duration of future impacts may be minimized as a result of improved scientific knowledge, enhanced developer cooperation, increased community land use planning, and targeted regulatory actions. One exception to this might be the future development of one or more ocean kinetics (tidal) projects in Southeast Alaska, which could lead to potential impacts to submarine, near shore aquatic resources heretofore not experienced in Southeast Alaska.

Urbanization

Because of the relative remoteness of Southeast communities and the high proportion of federal and state public lands throughout the region, the effects of urbanization in Southeast Alaska will likely remain localized.

In the region as a whole and at the individual community level, future public funding is likely to focus primarily on the rehabilitation and maintenance of existing roads, streets, water/sewer utilities, docks/harbors, airports and public buildings, rather than substantial new construction of public infrastructure as occurred in past decades. The economic vitality of communities will largely determine the amount of private capital invested in new homes, commercial buildings, etc. in the future. Looking forward, fairly stable government and fishing employment provide the regional economy some insulation from external events affecting the other two engines of the Southeast economy – tourism and mining.

To the extent Southeast communities expand or are renewed in the future, there is likely to be an increase in impervious surfaces (new/rehabilitated roads, building roofs, bridges, and parking lots) and continued loss of riparian, wetland and shoreline habitat and vegetation. In addition to the unavoidable impacts to aquatic resources, other valuable functions (open space, recreation, drinking water protection) may be compromised and diminish a community's aesthetics or livability.

Timber Harvest

New timber road construction is currently anticipated to be less than 30 miles per year on average (USFS TLMP 2008 Revision EIS). Prince of Wales Island, the Petersburg and Wrangell areas, and northeastern Chichagof Island are currently at greatest risk of potential threats to aquatic resources from continued logging activities, largely on existing road networks.

Community Infrastructure and Road Development

As communities develop they face additional infrastructure demands and/or need to replace old infrastructure with new infrastructure. This is true for the development and/or repair of roads, as well as, schools, fire halls, hydroelectric facilities, clinics, business etc. In many communities throughout southern Southeast it is nearly impossible to build without impacting aquatic resources, including wetlands.

Mining

The current high price of metals is encouraging additional mineral exploration, at existing mines (Kensington and Greens Creek), as well as reopening historic mining sites (AJ and Niblack). Future mining activity in the Southeast region is largely contingent on worldwide demand and the pricing of silver, gold or base metal commodities. While not subject to COE mitigation, some Canadian mine prospects along the Taku River (Tulsequah Chief), Stikine River (Galore Mine) and Unuk River (Kerr-Sulphurets-Mitchell) could have downstream water quality impacts in Southeast Alaska.

Tourism

New remote tourism lodges or developments to satisfy potential demand for ecotourism niche markets in the future could cause localized impacts to aquatic resources. For example, Sealaska Native Corporation is seeking federal legislation to complete its Alaska Native Claims Settlement Act lands selections, including some remote coastal sites for potential cultural tourism operations.

Aquaculture

Aquaculture is the breeding, rearing, and harvesting of plants and animals in all aquatic environments, including ponds, rivers, lakes, and near- and off-shore ocean areas. Currently, salmon hatcheries for fish stock enhancement dominate the aquaculture industry in Southeast Alaska, and the footprint of this coastal infrastructure has been in place for decades. No new fish hatcheries are slated for Southeast Alaska. Freshwater aquaculture and the farming of marine finfish are prohibited in Alaska state waters. Although offshore fish farming has received some attention at the federal level in recent years, no current efforts are underway off Alaska.

Shellfish aquaculture projects potentially could occur anywhere in Southeast Alaska where growing, tending, and harvesting conditions are favorable. Marine shellfish operations culturing oysters and clams are likely to increase as technology improves, shellfish farms become more profitable, and people are drawn to the remote lifestyle where few other economic opportunities exist. The State has identified 42 sites in coastal Southeast Alaska that are available as potential shellfish farm locations through its over-the-counter lease program. Shellfish operations have the potential to harbor and spread marine invasive species: the first documented occurrence of an invasive sea squirt *Didemnum vexillum* is in Whiting Harbor, Sitka.

SAWC and its member watershed councils have been working within individual Southeast communities to help develop solutions that restore functioning aquatic resources as well as protect these less tangible but important community values. As a regional in-lieu fee program sponsor, SAWC will continue to focus first at the community level to identify compensatory mitigation projects that ameliorate local aquatic resource losses from a community's renewal or expansion. If local restoration opportunities are not available in a timely manner, SAWC intends

to look farther afield in adjacent biogeographic provinces for projects that will restore important aquatic resources.

c. An analysis of historic aquatic resource loss in the service area(s);

To date there is no in-depth database that shows the cumulative aquatic resource loss across Southeast Alaska. This type of data collection and analysis has not been conducted by any natural resource agency and/or conservation organization working in the region. However, there are several scientific papers, natural resource agency management reports, spatial analysis tools and local and traditional watershed plans that SAWC has aggregated over the past three years to support the development of the Southeast Alaska Mitigation Fund. These documents and resources provide valuable scientific information to any mitigation provider operating in Southeast Alaska. SAWC will utilize these plans and reports to understand aquatic resource loss in a watershed. These resources will guide the site selection and prioritization process, as well as, inform the advance credit scheme for the Draft Instrument and Instrument. Listed below is a summary of a few of the documents and spatial analysis tools the program sponsor will use to analyze historic aquatic resource loss across the service area. Additional resources are listed on page 25 of this document.

- On February 19, 2013 the COE, Alaska District Office of Council provided the program sponsor documentation regarding data for 404 permits issued within Southeast Alaska over the past 5 years. The information in this database provides the IRT and SAWC with information on the type(s) and amount of aquatic resources that have been impacted. With this information the IRT can encourage permittee applicants and third party mitigation providers to identify mitigation sites that replace the area and/or functions being lost due to permitted impacts.
- In 2011 the Nature Conservancy published *Mapping Human Activities and Designing an Index of Cumulative Use within Estuarine and Nearshore Marine Ecosystems in Southeast Alaska*. This project and the accompanying report sought to assemble the best available spatial data on human activities and their impacts associated with coastal, estuarine and nearshore marine ecological systems. The purpose of the project and report was to provide an integrated GIS tool to support coastal planning, permitting and decision-making. The results of the data selection and final analyses show that the highest level of impact activity is around urban and community centers and the next highest level of activity displayed can be roughly characterized by transportation “hotspots”, such as concentrated road networks or shipping traffic centers.
- In 2009- 2010 the USFWS partnered with the Juneau Watershed Partnership to develop the *Aquatic Habitat Rehabilitation, Enhancement and Mitigation in Juneau, Alaska: Inventory and Case Studies (REM Report)*. The primary goal of this project was to inform and improve the success of future restoration and enhancement projects in Juneau waterways. Using “lessons learned” from past restoration projects, this inventory can be used as an adaptive watershed management tool for future projects. The inventory also identifies sites that may benefit from additional restoration or enhancement work, in order to improve fish and wildlife habitat and water quality in our watersheds. In addition, it can be deduced from this information the type of aquatic resources that have been lost and have required mitigation techniques.

- USFS, Tongass National Forest has a wetland-monitoring component to its Forest Plan. For the fiscal year 2006 Forest Plan the wetland-monitoring component included a goal to document the physical and hydrologic impacts to wetlands. The program sponsor will work closely with FS staffers to incorporate the agency information and resources regarding aquatic resource loss on the Tongass.
- In 1994 the ADF&G published a report entitled *Restoration and Enhancement of Aquatic Habitats in Alaska: Case Study Reports, Policy Guidance, and Recommendations (Perry and Seaman 1194)*. Similar to the REM Report, the program sponsor will utilize this resource to understand what types of aquatic resources have been impacted throughout Southeast Alaska. This information will inform site selection and the advance credit scheme.
- *ShoreZone.org*. The Alaska ShoreZONE Coastal Inventory and Mapping Project. ShoreZone is a standardized coastal habitat mapping system that covers the supratidal, intertidal and some subtidal areas of the coast at lowest tides of the year. The mapping system provides data to support coastal management, community planning, facilities citing, conservation planning, research and fisheries management
- Alaska Department of Environmental Conservation's List of Impaired Watersbodies. This list depicts historic aquatic resource loss, as well as, a list of waterbodies that should be considered during the site selection and prioritization process.
- The Wetlands Module of the Southeast Alaska GIS Library: An online compilation and data visualization website. The purpose is to provide planning-level information and links to wetland and aquatic resource data sets. Most importantly, these data sets support evaluation of wetland functions using the WESPAK-SE aquatic function assessment methodology.

The Mitigation Fund intends to mitigate for unavoidable impacts to aquatic resources that are most likely to occur in the areas of concentrated human development and at the occasional remote site development for hydropower, mining, tourism activities, and intra-region hydropower sites, power transmission lines and highways.

The high precipitation of the temperate rainforest and flat coastal topography yield productive forested and emergent estuarine wetlands that have inevitably experienced losses because people and their activities are also found along the coastline of Southeast Alaska. In general, impacts to aquatic resources in Southeast Alaska are locally concentrated in towns, along roads radiating from the towns, and also where timber harvest, transfer or milling has occurred. To a lesser extent, impacts occurred at isolated cannery or mine sites occupied along the coast in the early decades of the 20th century and at modern-day seafood processing, mining, and a few tourism-related sites found in the region. Hydropower sites with associated transmission lines have also impacted aquatic resources in locations throughout the region. Human activities and impacts historically occurred primarily along the coastline where flat and buildable land, fish-bearing marine and freshwaters, and access to relatively inexpensive marine transportation are found.

In Southeast Alaska towns, miles of marine shoreline are developed and stabilized; forested and scrub-shrub wetlands are replaced by roads, buildings, and other impervious surfaces; streams are channelized and impacted by road crossings, fill and runoff; and floodplains and wetlands are developed for residences and commercial sites. Urban shoreline alteration may disrupt nearshore

primary productivity by blocking sunlight, altering water circulation patterns, and converting fine sediment shallows to rocky deep-water shoreline, as in the case of riprap fill. While not regulated under the COE authority and not a primary focus of this Framework, additional human activities impact aquatic resources through storm water runoff leading to chemical and biological pollutants, stream bank erosion, increased sediment loads, and water temperature changes; the disposal of poorly treated wastewater (sewage, detergents, chlorine, etc.) into the groundwater and the near shore marine waters; and the introduction of invasive plants or aquatic organisms.

In general, aquatic resource functions have been affected most intensively within and around the larger communities of Southeast Alaska and at heavily utilized areas of timber production and mineral extraction. The landscapes around many medium or small-sized Southeast communities are dominated by altered habitat resulting from past timber harvest, impacted by roads built primarily to facilitate that timber harvest, and community infrastructure. Away from urban centers and timber production areas, long reaches of wild shoreline and large areas of pristine rainforest, alpine tundra, and ice fields occur.

In a document developed by ShoreZone Coastal Habitat Mapping Program, *Southeast Alaska Data Summary Report*, dated October 2011 anthropogenic modifications to the shoreline have occurred along 140.9 km of shoreline, mostly in the communities of Ketchikan, Sitka and Juneau. The types of shore modification features and their relative proportions of the intertidal zone are mapped into the Shore Zone database.

d. An analysis of current aquatic resource conditions in the service area(s), supported by an appropriate level of field documentation;

In addition to the information below, the documents listed on pages 23, 24, 25, 29 and 30 add significant field documentation in regards to the aquatic resource conditions in the programs proposed service area.

Southeast Alaska is a collection of over 2000 islands and is framed by a narrow band of mountainous mainland. The archipelago lies between the coastal mountain ranges of western North America and the North Pacific Ocean and contains the world's largest temperate rainforest. The region is characterized by a maritime climate, moderated by warm ocean currents from the south, and is dominated by heavy precipitation and cool, overcast conditions year-round. At lower elevations in the southern end of the region, nearly all of the 50 to 200 inches of annual precipitation falls as rain, whereas in the north and at higher elevations snow is typical in winter. This abundant precipitation maintains rainforests, extensive wetlands, thousands of small streams, rivers, lakes, ponds, estuaries, and large ice fields and glaciers. Southeast Alaska encompasses an astounding 1,030 watersheds (Schoen and Dovichin 2007).

Southeast Alaska Land Cover

The Tongass National Forest, which covers approximately 78 percent of the service area, supports approximately 4,000,000 acres of wetlands (USFS 2008, p. 3-43); other landowners may support another 880,000 acres of wetlands (assuming similar ratios of uplands and wetlands). The terrestrial landscape is dominated by rainforest and muskegs (*Sphagnum* bogs) in the lower elevations, with alpine meadows, tundra, and glaciers at higher elevations. In some areas along the mainland, glaciated landscapes extend from sea level to the mountaintops, which reach to 18,000 feet at Mount St. Elias at the northwestern edge of the service area.

Vegetation and land cover statistics for Southeast Alaska are shown in Table 1. In summary, forests cover just over half of the landscape of Southeast Alaska (51 percent), ice/glaciers and rock about one-third (30 percent), non-forested upland (non-wetland) vegetation about one-seventh (15 percent), and non-forested waters of the U.S. (wetlands/meadows, lakes, stream, rivers, and marine shorelines) cover the remaining 4 percent. Clearly, the non-forested freshwater and coastal wetlands that provide important ecological functions are not abundant in Southeast Alaska and are worthy of restoration and mitigation.

Table 1. Vegetation and Land Cover Classes for Southeast Alaska across all Land Ownerships (Albert and Schoen 2007)

Land Cover	Acres	Percent
Forest (including forested wetlands)		
Productive Old Growth	5,807,155	26.5
Clear-cut and 2nd growth	786,285	3.6
Other Forests	4,498,746	20.5
Non-forest Upland		
Alpine tundra	544,293	2.5
Slide zone	808,010	3.7
Shrub land	961,977	4.4
Herbaceous meadow	22,280	0.1
Other nonforest	1,059,347	4.8
Freshwater wetlands		
Muskeg meadow	261,579	1.2
Emergent wetlands	47,630	0.2
Lake	204,547	0.9
River bars and channels	199,082	0.9
Coastal Cover/Wetlands		
Algal bed (marine)	82,370	0.4
Rocky shore	38,703	0.2

Salt marsh	33,458	0.2
Sand/gravel beach	5,795	0.0
Tide flat	12,577	0.1
Unconsolidated sediments	111,824	0.5
Unvegetated		
Ice and snow	3,596,244	16.4
Unvegetated	2,999,016	13.7
Urban	9,831	0.0
Total	21,891,885	100.0

Freshwater Wetland Types, Functions and Services

Ecological and societal services provided by forested wetlands include water storage, filtration, and release; wildlife habitat; timber production; recreation; and carbon sequestration. *Sphagnum*-dominated bogs store, release, and filter water, store carbon, and provide wildlife habitat. Sedge-dominated fens typically have higher rates of photosynthesis than bogs, and therefore store more carbon while storing, filtering, and releasing water. The fens also provide feeding and nesting habitat for many wildlife species. Streams, lakes and ponds provide fish and wildlife habitat and water supply for human and wildlife needs. The Tongass National Forest encompasses 45,000 miles of known streams and more than 20,000 lakes and ponds. Of this vast freshwater habitat, about 10,800 miles (25%) of streams and 4,100 (21%) of lakes and ponds are documented anadromous fish habitat (Schoen and Dovichin 2007, Ch 9.5). The Alaska Department of Fish and Game's *Catalog of Waters Important for the Spawning, Rearing, and Migration of Anadromous Fishes* identifies numerous salmon streams throughout Southeast Alaska, and the Forest Service identifies these as Class 1 anadromous and high-value resident fish streams.

Local, intact aquatic resources also provide valuable services as open space, recreation sites, (drinking) water quality protection, and flood control that enhance the human use and aesthetics of a community. The functions and services are subject to unavoidable impacts when the COE issues permits for projects that clear, drain, and fill wetlands as communities grow or redevelop and transportation or resource developments occur throughout Southeast Alaska.

Coastal Marine Habitats

Southeast Alaska has approximately 30,000 km (18,000 mi) of marine shoreline that supports abundant populations of shellfish, fish, and wildlife in a complex mosaic of geophysical and biological features where uplands, freshwater, estuarine, and marine environments interface (Schoen and Dovochin 2007). These combined features support primary productivity from plankton, algae, kelps, eelgrasses and marsh grasses; shellfish production from Dungeness crab, clams and shrimp; fish production from herring, flatfish, rockfish and salmon; and a diverse

ecosystem that includes many species of marine birds and marine mammals. The communities of Southeast Alaska rely on these coastal resources to support significant components of their economies dependent on subsistence, sport and commercial fishing, hatcheries, tourism, recreation, and wildlife viewing.

The ShoreZone system maps the occurrence of common organisms as distinct biological features along the shoreline and nearshore areas. Some features, such as eelgrass and kelp beds, are considered high value because of the primary productivity, structure and spawning/rearing habitat these provide for shellfish, fish and wildlife of ecological, subsistence, sport, commercial and cultural importance.

The ShoreZone project also classifies larger scale features such as mudflats, estuaries and man-modified shoreline (i.e., shoreline altered by bridges, docks, fill, etc.). Mudflats and estuaries are considered high-value habitat, while man-modified shorelines offer less valuable habitat. Mudflats are important for many species of shellfish and flatfish and are critical to migrating shorebirds. Estuaries are nursery areas for many fish species, including juvenile salmon out-migrating from freshwater to the ocean. These high-value coastal habitats are relatively rare: mudflats being less than 1% and estuaries less than 15% of the shoreline.

The mudflats and estuarine habitats provide accessible, low-gradient shorelines, and many Southeast Alaska communities are located near these valuable habitats. The ShoreZone project provides SAWC with enhanced and readily accessible information about high-value coastal habitats and a tool to help identify opportunities for coastal restoration sites throughout the service area.

e. A statement of aquatic resource goals and objectives for each service area, including a description of the general amounts, types and locations of aquatic resources the program will seek to provide;

The overall aquatic resource goals for The Southeast Alaska Watershed Coalition Mitigation Fund are to:

- a) Substantially increase the extent and quality of restoration, enhancement, creation, and protection of natural resources for activities that impact wetlands, and other waters of the U.S.
- b) Achieve ecological improvements in the service areas by directing ILF funds to restore, enhance, and create aquatic resource types and functions that are appropriate to the geographic service area, and by integrating ILF projects with other conservation activities (including preservation) whenever possible;
- c) Identify wetland systems and other aquatic resources of watershed significance that should be protected through fee acquisition, conservation easements, or other tools for permanent conservation;
- d) Improve coordination among and between agencies with respect to wetland policies and regulatory programs to ensure efficiency in effort, consensus in outcome, and consideration of wetlands at the landscape scale

In Southeast Alaska there are few defined aquatic resources mitigation goals and objectives set for each of the 8-digit HUC's in the ILF Program's service area. In addition, there is very little publically available information that describes the cumulative aquatic resource loss incurred to date. SAWC will use the resources listed in **Section c.** of this Compensation Planning Framework to further define the resource goals and objectives in the required mitigation plan for each mitigation site.

Under The Southeast Alaska Mitigation Fund the ILF Program sponsor will look to mitigate all types of aquatic resources, including wetlands, streams, shorelines, estuaries, floodplain areas, upland buffers, and riparian zones. It is the long-term goal for the ILF Program sponsor to carryout a wide spectrum of mitigation techniques and methods to maintain and improve the quantity and quality of aquatic resources in the services area.

The scale, scope and the level of expertise required to reach functional life of the mitigation sites offered through this program *must* match the capacity of SAWC to administer funds, provide project management oversight and the expertise of the site partners to carry-out activities. After completing an initial analysis of potential restoration sites in areas of Haines, Skagway and Juneau it is apparent to regulatory staff and SAWC where mitigation opportunities do exist the necessary scientific documentation and expertise to successfully implement and monitor the project vary significantly. Therefore, mitigation techniques that have a lower level of risk with attainable ecological performance standards, monitoring protocols and scientific documentation demonstrating success will be prioritized.

SAWC used the Statement of Qualifications provided by the Mitigation Fund Partners, as well as, the *Aquatic Habitat Rehabilitation, Enhancement, and Mitigation in Juneau Alaska: Inventory and Case Studies* (Hudson, Seifert 2012) to inform the list of possible project types. The types of projects listed below have been supported by natural resource managers and carried out by Mitigation Fund Project Partners. In addition, there is information pertaining to project design and monitoring for these types of mitigation projects. Resource managers agree that there is enough scientific research and information, as well as expertise and experience in this region to carry out the following types of mitigation projects. In general, the program sponsor will pursue the following types of mitigation projects, while reserving the right to carry out other types of mitigation when deemed appropriate by the COE and IRT.

- 1. Stream bank stabilization**
- 2. Stream channel creation or reconfiguration**
- 3. Plant/enhance riparian vegetation**
- 4. Flood plain restoration/reconnection**
- 5. Wetland and tideland restoration, enhancement and creation**
- 6. Restore and/or enhance fish habitat (e.g. instream structures)**
- 7. Stormwater attenuation and management**
- 8. Restore and/or enhance fish passage (man-made barriers)**

As stated on Page 6 of this prospectus, each mitigation site will have a detailed mitigation plan. These mitigation plans will outline specifically the techniques that will be used to carry out each

type of mitigation. In this way, the IRT, other agencies, interested and/or concerned stakeholders and members of the general public will be able to provide input to SAWC on project site design, implementation and ecological performance standards.

f. A prioritization strategy for selecting and implementing compensatory mitigation activities;

This section provides an overview of how the program sponsor will select and prioritize mitigation sites.

SAWC has developed a prioritization and site selection strategy that is based on a watershed approach that is specific to Southeast Alaska and works to ensure each mitigation site meets the requirements of the 2008 Final Rule. SAWC's prioritization strategy for selecting and implementing compensatory mitigation sites is a two-step process. The first step is to identify which watersheds and restoration sites within the impacted 8-digit HUC are of top priority based from existing assessments and other sources. The second step is to identify which of the restoration sites selected can be implemented and meet the necessary requirements of the 2008 Final Rule for mitigation sites.

To accomplish the first step – to identify which watersheds and restoration sites within the impacted 8-digit HUC are of top priority based from ecological assessments and other sources- SAWC will rely heavily on the methods for prioritizing restoration that have been developed for Southeast Alaska in recent years. Each of these methods incorporates a watershed approach.

- *The Watershed Condition Framework* (USFWS 2011). The USFS recently identified priority watersheds for restoration in the Tongass using its national Watershed Condition Framework. The framework includes a strategic planning outline and includes 6 key steps: 1. Classify Watershed Condition, 2. Prioritize Watersheds for Restoration, 3. Develop Watershed Restoration Action Plans, 4. Implement Integrated Suites of Projects, 5. Track Restoration Accomplishments, 7. Verify and Monitor Accomplishments.
 - *Watershed Restoration Plans* (FS 2011, ongoing). Over 20 watershed restoration plans have been written for 6th code (12 digit) watersheds based on the projects identified through this assessment.
- *A Conservation Assessment and Resource Synthesis for The Coastal Forests and Mountains Ecoregion in Southeast Alaska* (TNC/Audubon 2011). The assessment includes a Map Gallery of GIS products developed as part of the assessment; a ranking of ecological values among watersheds throughout the region in Watershed Matrix, and a GIS database that provides a common inventory of ecosystem and habitat values that encompass lands throughout Southeastern Alaska.
- *Prince of Wales Watershed Restoration* (TNC)
- *Ecological Forest Restoration in the Tongass National Forest* (TWS/SEAWHEAD Assessment 2012).
- *Alaska's Anadromous Waters Catalog* (ADF&G)
- *Fish Passage Culvert Inventory* (ADF&G and USFS)
- *Upstream Habitat Assessments and Prioritizations Schema for Culverts for Remediation* (USFS)
- *Southeast Alaska Impaired Waterbodies* (DEC)
- *ShoreZone*

- *Watershed Restoration Priorities: A Strategic Plan for the Sitka Community Use Area (SCS 2012)*
- *A Framework for Setting Watershed-/scale Priorities for Forest and Freshwater Restoration on Prince of Wales Island (TNC/USFWS/FS/Klawock Watershed Council 2008)*

In addition to these larger collaborative efforts there are many ecological assessments conducted on watershed scales smaller than the 8-digit HUC boundary that have been conducted throughout the region. These are listed on page 25. The program sponsor will utilize these assessments and others as part of this first step to ensure that watershed and project selection are based on a watershed approach and based on best available science.

To accomplish the second step: *to identify which of the restoration sites identified using a watershed approach will meet the requirements of the 2008 Final Rule for mitigation sites* – SAWC will base its site selection process on the State of Maine’s ILF program.

The program sponsor will utilize elements from the *State of Maine- In Lieu Fee Program Instrument, August 17, 2011* to ensure the sites selected can meet the requirements of the 2008 Final Rule. The State of Maine ILF Program has a very similar structure to that of the proposed Southeast Alaska Mitigation Fund. SAWC endorses this prioritization strategy for the Southeast Alaska Mitigation Fund because of its step-wise approach to ensuring the project meets the requirements written in the 2008 Final Rule and that the sponsor and project partners have the capacity to carry-out the technical aspects and provide stewardship actions over the long-term.

This selection criterion will support the program sponsor and the IRT to evaluate in a fair and transparent manner whether or not a proposed mitigation project meets or exceeds the core requirements of the 2008 Final Rule.

The Southeast Alaska Mitigation Site Selection Criteria encompasses the following 6 elements:

- 1. Potential to Meet the Southeast Alaska Mitigation Fund Goals**
- 2. The “Landscape Context”**
- 3. Project Readiness/Feasibility**
- 4. Project Sponsor Capacity**
- 5. Cost Effectiveness**
- 6. Other Benefits**

These six elements are explained below:

1. Potential to Meet the Southeast Alaska Mitigation Fund Goals: Assesses the extent to which the proposed project meets the core program requirements that a compensatory mitigation project must restore, enhance, preserve, or create aquatic resources that have been prioritized using a watershed approach, best available science and/or by the district engineer of the COE. All project sites must be conserved with a durable instrument. Considerations include:

- a) The sustainability of the proposed conservation action (restoration, enhancement, preservation, and creation) and the acreage affected.
- b) The resource types to be restored, enhanced, preserved or created and the degree to which the proposed project replaces the area and/or functional benefits of impacted resources in the biophysical region based on a functional assessment or best professional judgment of the site.
- c) Proximity of proposed project to impacted resources in the watershed.
- d) When preservation is considered include, if possible, upland areas sufficient to protect, buffer, or support identified resource functions and ecological connectivity to other conservation areas or undeveloped large blocks of habitat.
- e) Inclusion of upland areas sufficient to protect, buffer, or support identified resource functions and ecological connectivity to other conservation areas or undeveloped large blocks of habitat.
- f) Current and proposed condition of the property, and functional lift provided by project (e.g., proposed change in habitat quality, contribution to functioning biological systems, water quality, etc.
- g) Other specific conservation objectives developed for each biophysical region or watershed, as described in watershed plans, municipal management plans, statewide conservation objectives

2. Landscape Context: Assesses the extent to which the proposed project meets the core program requirement to consider the location of a potential project relative to focus areas for land conservation or habitat preservation identified by a state agency, or other regional or municipal plans.

Considerations include:

- a) Presence within or adjacent to habitat areas of statewide conservation significance or other natural resource priority areas.
- b) Presence within or adjacent to public or private conservation lands to maintain and preserve habitat connectivity.
- c) Presence of natural resources of significant value and/or rarity within the project site boundaries

3. Project Readiness/Feasibility: Assesses the extent to which the proposed projects meets the core program requirement to demonstrate project readiness and likelihood of success, where success is defined by the ability of the project to meet the requirements stated in the 2008 Final Rule and the goals of the Southeast Alaska Mitigation Fund. Considerations include:

- a) Documentation of landowner willingness to participate in proposed project, including conveying a conservation easement or fee title, with conservation covenants, to the property (for projects not on public or private conservation lands).
- b) Level of project urgency (e.g., area of rapid development or on-going site degradation, other available funding with limited timing, option to purchase set to expire, etc.)

- c) Degree to which proposed conceptual plan demonstrates understanding of resource conservation issues and needs.
- d) Soundness of the technical approach presented in conceptual plan for the proposed project.
- e) Initial progress (e.g., planning, fundraising, contracting, site design, etc.).
- f) Likelihood that the project will meet proposed schedule and/or required deadlines.
- g) Likelihood that the proposed actions will achieve the anticipated ecological benefits and results.
- h) Completeness and feasibility of long-term stewardship and monitoring plan.
- i) Potential for adverse impacts (such as flooding or habitat loss) associated with the project.
- j) Conformance with any applicable COE and state mitigation policy, guidance and permitting requirements, including appropriate financial assurances for various construction activity.

4. Project Sponsor Capacity: Assesses the extent to which the proposal meets the core program requirement to provide for long-term management and/or stewardship by a responsible state or federal resource agency, or conservation organization. Considerations include:

- a) Presence of qualified, capable conservation entity willing to sponsor and/or maintain the project.
- b) Level of support and involvement of other relevant agencies, organizations, and local community.
- c) Degree to which project sponsor, and any associated partners, demonstrate the financial, administrative, and technical capacity to undertake and successfully complete the project.
- d) Adequacy of long-term stewardship to ensure the project is sustainable over time and funding mechanism for the associated costs (e.g., endowment or trust).
- e) Legal and financial standing of the project sponsor.
- f) Quality and completeness of proposal materials.

5. Cost Effectiveness: Assesses the extent to which the proposal meets the program requirement that a project represent an efficient use of funds expended given the condition, location and relative appraised values of properties. Considerations include:

- a) Clarity and detail of budget submitted.
- b) Sufficiency of funds available in the applicable biophysical region.
- c) Availability and source of matching funds necessary to complete the project.

6. Other Benefits: Assesses the potential for this project to support recreational access, scenic enhancements, economic activity, or other contributions to the community or region where the project is located.

Following review and approval by the IRT of the selected site and associated conceptual plans SAWC staff will develop a Mitigation Plan for IRT review. Upon IRT approval of the Mitigation

Plan, The Southeast Alaska Mitigation Fund program manager will begin implementing the mitigation project according to the credit fulfillment steps that will be outlined in the Draft Instrument and Final Instrument. In all cases, “Land acquisition and initial physical and biological improvements must be completed by the third full growing season after the first advance credit in that service area is secured by a permittee, unless the district engineer determines that more or less time is needed to plan and implement an in lieu fee project.” (33 CFR 332.8(n)(4))

In the event of failure to meet this schedule without appropriate justification and approval by the COE following consultation with the IRT, SAWC shall be subject to non-compliance provisions that will be described in the program instrument. Additionally, “if the sponsor fails to provide the required compensatory mitigation, the district engineer may pursue measures against the sponsor to ensure compliance.” (33 CFR 332.3(l)(3)). These measures will be discussed with the sponsor and/or other responsible parties and, “may include site modifications, design changes, revisions to maintenance requirements, and revised monitoring requirements. The measures must be designed to ensure that the modified compensatory mitigation project provides aquatic resource functions comparable to those described in the mitigation plan objectives.” (33 CFR 332.7(c)(2),(3))

g. An explanation of how any preservation objectives identified in paragraph (c)(2)(v) of 33 CFR part § 332.8 and addressed in the prioritization strategy in paragraph (c)(2)(vi) satisfy the criteria for use of preservation in 33 CFR part § 332.3(h);

Generally, SAWC does not expect to propose preservation as a mitigation option as its core service. However, SAWC views itself as a cooperating agent and catalyst that can help developers and agencies identify solutions that meet mitigation goals and development needs. In cooperation with the COE and IRT preservation may be decided upon as a solution or partial solution to maximize the overall ecological health and sustainability of watersheds and aquatic resources in Southeast Alaska.

h. A description of any public and private stakeholder involvement in plan development and implementation, including, where appropriate, coordination with federal, state, tribal and local aquatic resource management and regulatory authorities;

As stated above, under Section 7, the Mitigation Fund will ensure there is both public and private stakeholder involvement throughout the entire process from mitigation site selection to the long term monitoring of the sites. The primary stakeholders involved with the development of this prospectus and the Final Program Instrument are the IRT members which have a review and advisory role to the COE regarding the approval of SAWC’s In-Lieu Fee Program under the 2008 Final Rule. In an effort to explain The Southeast Alaska Mitigation Fund and the current review to other potentially interested parties in the Southeast Alaska region, SAWC has been and will continue to conduct outreach to Southeast community land use/planning officials, non-profit organizations, tribes, municipalities, landowners, native corporation land managers, and other resource and real estate professionals. SAWC developed a *Draft* Prospectus, which is not required under the 2008 Final Rule, in order to build knowledge and awareness of SAWC staff, advisory board, board of directors, and IRT members. We have incorporated feedback, concerns, and questions into this Prospectus. In addition, over the past two years, we have

organized significant outreach and public education opportunities in order to understand better the diverse spectrum of stakeholder perspectives of aquatic resource mitigation and what strategies and processes a third party mitigation program provider should consider in order to respond to the unique aquatic resource mitigation challenges and opportunities that exist throughout Southeast Alaska. We invite questions or comments and provide a link to the SAWC website (www.alaskawatershedcoalition.org) for the public and agencies alike to review our draft documents and provide comments to the COE Chair and IRT during the public review process.

i. A description of the long-term protection and management strategies for activities conducted by the in-lieu fee program sponsor;

See section 5 of this document.

j. A strategy for periodic evaluation and reporting on the progress of the program in achieving the goals and objectives in paragraph (c)(2)(v) of 33 CFR part § 332.8, including a process for revising the planning framework as necessary;

SAWC will be obligated to provide an annual accounting to the COE and the IRT in the form of a credits-debits ledger to quantify and account for permit-specific aquatic resource losses and SAWC's offsets gained through compensatory mitigation projects.

SAWC anticipates that it will meet regularly with the COE and IRT as the ILF Program matures. Also, SAWC will be obligated to submit an annual report on the in-lieu fees received and disbursed from its ILF Program Account, income generated through investments, and expenditures for compensatory mitigation projects and administrative costs.

As part of these overall evaluations, SAWC would examine its efforts in achieving the previously identified goals and objectives of the SAWC ILF Program. At that time this Framework and other documents associated with this ILF will be reviewed.

9. A description of the in-lieu fee program account

The program sponsor establishes the ILF program account to track the fees accepted and disbursed. The account must track funds accepted from permittees separately from those accepted from other entities and for other purposes (i.e., fees arising out of an enforcement action, "such as supplemental environmental projects," donations, and grants.) The account must be established after the instrument is approved and before any fees are accepted.

SAWC, as the ILF Sponsor, will maintain the SE Alaska Mitigation Fund program account with a financial institution that is a member of the Federal Deposit Insurance Corporation (FDIC). The ILF program account will be professionally managed, funds to be held in FDIC-insured sub-accounts and certificates of deposit, and interest earned is regularly deposited into the account. The ILF payments received will be deposited in the ILF Program Account, with a 15% administrative fee directed to the ILF Sponsor's unrestricted funds account and used for reasonable overhead and the administrative costs to operate and manage the ILF Program.

Funds from the ILF Program Account will be used for the selection, design, acquisition, implementation, monitoring, long-term stewardship or management, and permanent protection of ILF mitigation projects. The ILF Sponsor will track staff time and other routine expenses to specific ILF Program activities as they evaluate, select, acquire and establish long-term stewardship or management of preservation properties. The COE has the authority to audit the ILF Program Account at any time. Any interest accruing from the account must remain in the account for the program to use for the purposes of providing compensatory mitigation.

Fees will only be used for the purposes of directly replacing and managing aquatic resources, such as: identification and selection of appropriate compensation sites, survey and design of mitigation projects, acquisition-related costs (e.g., appraisals, surveys, title insurance, etc.), fees associated with securing a permit for conducting mitigation activities, activities related to the restoration, enhancement, creation, and/or preservation of aquatic resources, maintenance and monitoring of mitigation sites, and the purchase of credits from mitigation banks.

SAWC's ILF program Instrument will include a provision that requires SAWC to establish and maintain an annual report ledger and individual ledgers. The credits and financial transactions must be tracked not only on a programmatic basis (i.e., the number of credits available for the entire program and the total amount of funds accepted and expended by the program), but for each individual compensation project undertaken by the program sponsor (i.e., the number of credits generated for each individual project and the amount of funds accepted and expended for each individual project).

SAWC will work with the IRT and establish and maintain an electronic system for tracking the production of credits, credit transactions, and financial transactions between the ILF Sponsor and permittees, as follows:

- **Credits Ledgers** will account for the credit transactions. The ledgers will track credits sold to permittees (that become ILF Sponsor "debits") as well as the credits that are fulfilled (and released) when ILF mitigation projects are completed. The Sponsor will maintain a *routine projects ledger* that tracks credit transactions for projects with smaller-scale wetlands impacts throughout the service area. The running balance of advance credits available for the entire ILF Program will be calculated as routine project credits transactions occur. Individual *large project ledgers* will also be maintained, as needed, for the less frequent, larger-scale project with separate accounting of credit transactions as the credits are sold and subsequently fulfilled when mitigation projects are executed. The production of credits from each ILF mitigation project (i.e., released credits) will also be tracked.
- **The ILF Financials** (i.e., the ILF payments accepted and the ILF funds expended from the ILF Program Account) will be tracked according to standard accounting practices and reported annually.

10. Next Steps

After reviewing this Prospectus and public comments, if the COE determines that SAWC may proceed with submission of a draft instrument, SAWC will develop the following elements required of a complete draft instrument:

- Service area
- Accounting procedures
- Provision stating legal responsibility to provide compensatory mitigation
- Default and closure provisions
- Reporting protocols
- Compensation planning framework
- Advance credits
- Method for determining project specific credits and fee and draft fee schedule
- In-Lieu Fee program account

References:

(2001) Montana Statewide In-Lieu Fee Program. *Montana Department of Environmental Quality and Trout Unlimited – Montana Waters Project*

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(2009) Alaska District Regulatory Guidance Letter: RGL ID No. 09-01. *COE*

(2008) Compensatory Mitigation for Losses of Aquatic Resources Final Rule: 33 CFR Parts 325 and 332 and 40 CFR Part 230. *EPA, COE*

(2009) In-Lieu Fee Mitigation: Model Instrument Language and Resources. *Environmental Law Institute*

(2010) In Lieu Fee Prospectus. *Puget Sound Partnership*

(2011) Southeast Alaska Land Trust In-Lieu Fee Program. *Southeast Alaska Land Trust*

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(1994) Alaska Wetlands Initiative; Summary Report. *EPA, COE, USFWS, NOAA*

(2001) Compensating for Wetland Losses Under the Clean Water Act. *The National Academies*

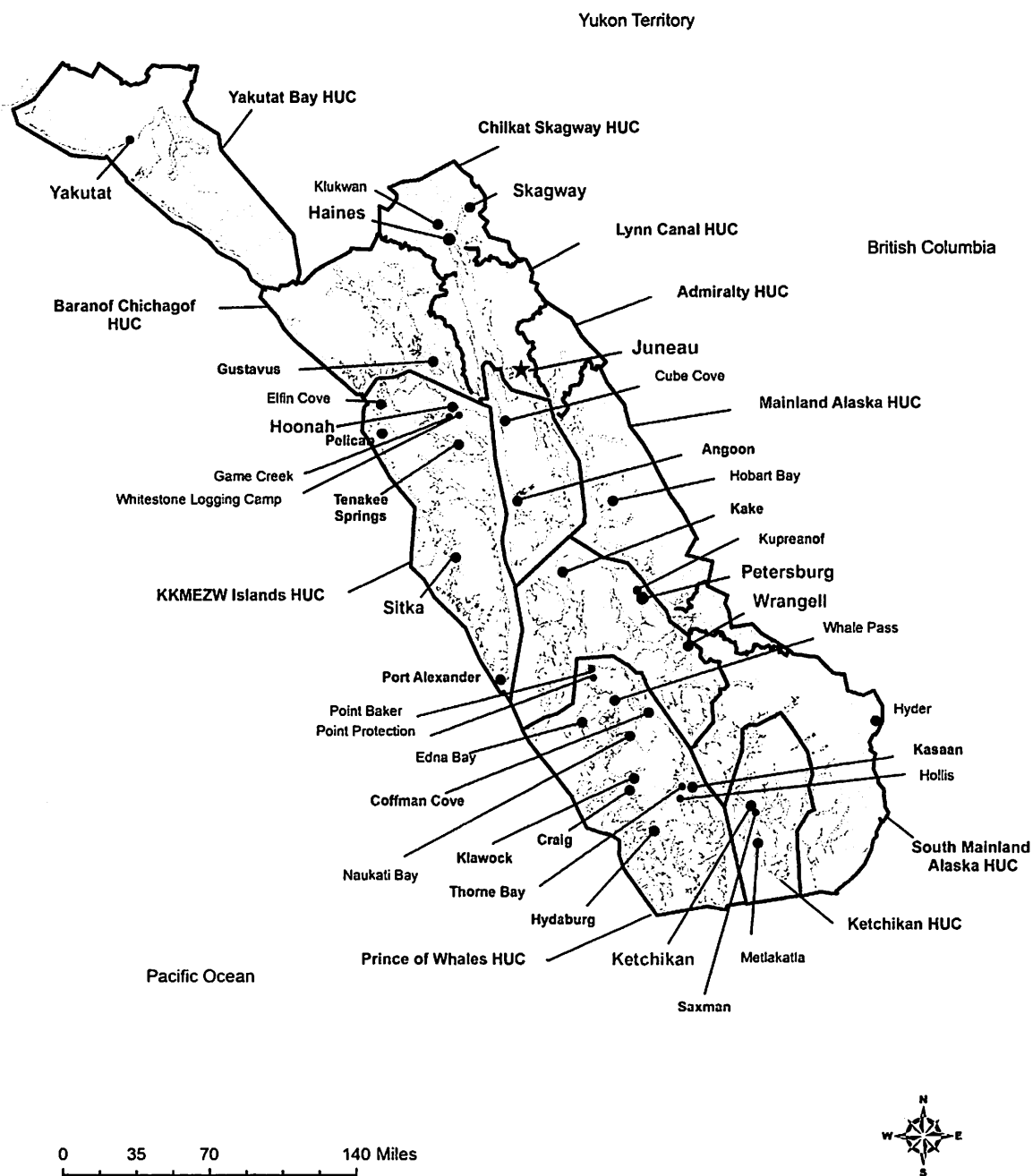
(2011) Maine In Lieu Fee Program.

(2011) ShoreZone SE Summary Report. *Prepared for the Nature Conservancy*

(2011) REM Report. Hudson and Steifert. *Juneau Watershed Partnership and USFWS*

Appendix A: Service Area Map

Southeast Alaska Watersheds



Appendix B: Example Mitigation Site Project Report, Map and Photos

Project Report

Haines, Alaska

Site Name: DOT Culvert Site

Project Location: Located along the southern border of the DOT gravel yard running east to west along the fence. 59.235868, -135.4539

Wetland Type: Riverine

Watershed Name: Sawmill Creek

AWC Stream ID: 115-32-10250-2044

USGS-HUC: 19010303

Ownership Type: State

Size: 727 linear feet

Site Characteristics: The culvert runs along the south side of the DOT gravel yard along the Sawmill Creek tributary from east to west and extends approximately 700 feet. It is observed that the tributary contains chum smolt downstream of the culvert on the west end of the DOT yard. The vegetation along the tributary includes equisetum, fireweed, sedges, nettles, daisies and grasses.

Background: DOT moved creek into culvert to expand Maintenance Shop Yard, it is unclear the exact year this occurred. The Yard is graded to drain into a grate in the top of the culvert; this is a significant sediment source for Sawmill Creek. The existing culvert has 0% gradient and is not a block to fish passage and does provide cover from predators. There is little material in the bottom of the culvert so there is no spawning habitat, no vegetation to support food sources and little habitat complexity.

Overall Project Goal(s): Return creek to an open stream channel and increase fish habitat complexity. Reestablish a riparian zone around this creek. Remove a significant sediment source to Sawmill Creek.

Project Objectives:

1. Relocate stream out of a culvert
2. Create stream channel that includes habitat suitable for spawning and rearing salmonids.
3. Restore riparian zone along the creek
4. Re-grade the DOT Yard to minimize sedimentation into the creek.

Type of Mitigation: Restoration and Enhancement

Potential Functions to be restored: spawning habitat, riparian vegetation, rearing habitat.

Project Significance for Mitigation: This project is immediately downstream of a previous restoration project and limits the effectiveness of the previous work. Removing this sediment source would be a great improvement for Sawmill Creek during high rainfall events.

Potential Barriers to Project Success: DOT non-compliance

Contact Information: Ben Kirkpatrick

Ecological Suitability: (refer to 332.2(d) Site Selection of the 2008 Final Rule)

- a. **Hydrological conditions:** This creek has accumulated too much sediment and is no longer a viable tributary. The tributary no long serves as a fish passage due to the culvert and extreme sedimentation process.
- b. **Watershed scale features:** This is a tributary of Sawmill Creek, which runs into the Chilkat River.
- c. **Size and location in relative to other hydrologic sources:** This is a tributary to Sawmill Creek.
- d. **Compatibility with adjacent land uses and watershed management plans:** Project success and implementation is not compatible with DOT operations.
- e. **Foreseeable affects this project will have on aquatic or terrestrial resources:** Restore fish passage, riparian vegetation and rearing habitat.
- f. **Other habitat relevant factors including, habitat trends, stream impact, habitat corridor for wildlife, habitat for state or federally listed threatened and endangered species, etc.;** Brown and black bears have been seen on this site.
- g. **Other human use relevant factors including, land use changes, development trends, local or regional goals for water quality and floodplain management, relative potential for chemical contamination of the aquatic resources:** The impact of the DOT yard on this tributary has had a severe effect on the fish habitat.

Project Efficacy: (as a potential Compensatory Mitigation Site)

GREEN: NO obstacles

✓ Potential obstacles based on private ownership, compliance order, etc.

RED: Major obstacles that may be insurmountable in the mitigation process



Figure 7. The DOT yard drains directly into the Sawmill Creek tributary.

Appendix C: Statement of Qualifications

Mitigation Fund Project Partners

The Takshanuk Watershed Council

Contact: Brad Ryan

The Takshanuk Watershed Council (TWC) has performed restoration and monitoring projects within the Haines borough since 2003. We have partnered with numerous agencies to work on State, Borough and private lands and waters. The TWC has staff capacity to complete on the ground projects alone and with contractors. Past restoration work includes wetland functional analysis, stream assessments, in-stream habitat work, fish passage, silviculture actions for wildlife and riparian enhancement, and marine intertidal restoration.

Projects that The Takshanuk Watershed Council has been involved in during the past decade:

Watershed Restoration Projects:

- **Big Boulder Creek Restoration** – stabilization of an incising stream that was causing a head-cut along with constructing a second channel to help divert flow away from the incised stream stretch.
- **Sawmill Creek Brown Parcel Restoration** – removed a section of Sawmill Creek from the ditches in the Haines town site to a natural flowing stream through two acres of wooded lots.
- **Chilkat River Riparian Restoration** – stream bank restoration on the Chilkat River to stop erosion from a popular raft haul out using coir logs, willow bundles, vegetated mat, and willow cuttings.
- **Sawmill Creek Fish Passage Enhancement** – removed a fish passage barrier and replaced it with a culvert to improve fish passage including stream simulation inside the culvert and reconstructed the incised stream channel downstream of the culvert.
- **Cannery Creek Fish Passage**- contracted the construction designs to replace two culverts on this high value cutthroat trout and Coho salmon rearing stream on the Chilkat Peninsula and will be installing the first of these culverts in the summer of 2013.
- **Picture Point Tide Pool Construction**-Constructed nine tide pools in the intertidal area along Lynn Canal as mitigation for a parking lot the Haines Borough constructed within the intertidal zone just east of this area.
- **Invasive Weed Control** – Organize community weed pulls to remove invasive species from the flood plain along the Chilkat River.

Research Projects

- **Eulachon Population Estimates**– Worked with the Chilkoot Indian Association to develop a Mark-Recapture study to estimate Eulachon populations in the Chilkoot River from 2010 through 2012.

- Wetland Program Planning-TWC is currently working with the Chilkoot Indian Association to develop a Wetland Program Plan for the Haines Borough and Upper Chilkoot Watershed.
- Chilkoot Watershed Assessment- In cooperation with the USFWS developed a watershed assessment for the upper Chilkoot Watershed.
- Mosquito Lake Water Quality Assessment- Developed a water quality study for Mosquito Lake north of Haines to monitor the lake for anthropogenic influences and aquatic invasive weeds. This included sampling for Fecal Coliform and Nitrogen levels.
- Porcupine Mining Area Water Quality Assessment- developed a water quality-sampling plan to establish baseline water quality parameters for the southeast Klehini Watershed. Completed water quality samples on a quarterly basis along with anadromous fish residence observation.
- Anadromous Waters Cataloging – Documented anadromous streams and rivers throughout the Haines Borough and submitted these observations to the anadromous catalog.
- Paralytic Shellfish Poisoning Monitoring – Currently working with the Chilkoot Tribe monitoring PSP levels at two popular subsistence shellfish harvesting beaches.
- Upstream Habitat Assessment – Survey streams and rivers upstream of fish passage barriers to prioritize replacement of these barriers based on the available upstream habitat.

In-House Capabilities

- QAPP-development
- Culvert Replacement
- Invasive Weed Identification and Control Plans
- Wetland identification and Functional Assessment
- Riparian Planting
- Scientific Research
- Water Quality Monitoring
- Restoration Monitoring

Contractors Utilized:

- White Rock LLC. Haines - channel excavation and reconstruction
- Southeast Road Builders, Haines – Culvert Replacement and Channel reconstruction.
- DOWL HKM, Anchorage – Culvert and stream reconstruction design.

The City and Borough of Yakutat

Department of Planning and Natural Resources

Contact: Bill Lucey

The Yakutat Department of Planning and Natural Resources Nature has performed restoration and monitoring projects within the borough since 1994. We currently are completing a HUC5 watershed-scale restoration effort on the Situk River. We have partnered with numerous agencies to work on National Forest as well as state, municipal and private lands and waters.

The City has staff capacity to complete on the ground projects alone and with contractors. There is both contract and borough heavy equipment available for use. Past restoration work includes wetland delineations, stream assessments, in-stream habitat work, fish passage, silviculture actions for wildlife and riparian enhancement, road decommissioning and wetland restoration.

Projects that The Yakutat Department of Planning and Natural Resources has been involved in during the past two decades:

Watershed Restoration Projects:

- Ophir Creek Restoration – Included mechanized and hand instream and riparian channel work, continuous flow monitoring, groundwater and bed profiling. In addition we replaced six culverts with four bridges and two properly sized culverts. Finally, 1800 acres of clear-cuts were thinned with city staff and contractors within the watershed to restore canopy cover and provide wildlife habitat.
- Greater Situk Watershed Restoration – decommissioned fifteen miles of trenched roads located in forested wetland soils. Reconnected historic channels diverted due to road building with downstream wetland channels restored by local tribe.
- Ten-mile bog wetland restoration – worked with USFS to reestablish braided ATV route back to functioning wetland using coir logs, jute matting and wetland plug planting.
- Ankau River Fish Passage Assessment – Replaced three relic military culverts along the Ankau River road with local crews and contractor
- Rare species management for endemic Botrychium fern spp. Private Lands Stewardship program with USFS funded log placement along main ATV corridors to restrict traffic from damaging tern nesting habitat and f rare fern areas.

Research Projects

- Tawah Creek Coded Wire Tagging – Assisted ADF&G salmon management goals by performing two years CWT with USFWS and USFS
- Salmon genetic sampling for various projects
- Rainbow and longfin smelt monitoring under NPS contract for Wrangell St. Elias National Park
- Passive acoustic logging of beluga whales and photo ID
- Anadromous Waters Cataloging – minnow trapping, electroshocking, seining

In-House Capabilities

- Road Decommissioning
- Culvert Replacement
- Log Bridge construction
- Wetland delineation and restoration
- Riparian Planting
- Trail Construction
- Monitoring

Contractors Utilized:

- Pate Construction Inc., Yakutat - culvert replacement, road decommissioning, bridge construction, channel excavation
 - Yak-Tat Kwaan Native Corporation – Tree thinning, road decommissioning
 - US Forest Service– Soil mapping
 - KipCo, Yakutat– Road decommissioning
 - S&S Contractors – gravel production
-

Sitka Conservation Society

Contacts: Andrew Thoms, Scott Harris

The Sitka Conservation Society has been involved in watershed restoration activities since 2007 and has been active in the conservation of wildlife and fish habitat in Southeast Alaska for over 40 years. All our restoration activities include a significant level of collaboration with the responsible land management agency, the community of Sitka, and other relevant stakeholders.

Watershed Restoration Projects:

- Developed the **Sitkoh River Restoration Partnership**, which combined USFS appropriate funds, match dollars from private foundations, and public grants (Alaska Sustainable Salmon Fund). This project restored 1800 feet of salmonid spawning and rearing habitat in Summer 2012 – including construction of in-stream habitat and bank-stabilization structures, floodplain roughness structures, and channel reconstruction. SCS coordinated work between the USFS and other partners, developed the grant, conducted implementation and effectiveness monitoring, outreach, and public engagement. USFS designed the project, administered the construction contract, and conducts monitoring.
- Conducted **community-based restoration prioritization**, including a survey of public attitudes and priorities for restoration locations, and integration of community priorities with ecological prioritization studies.
- Developed the **Starrigavan Watershed Project**, which completed the restoration of 5 acres of upland forest habitat in 2011. SCS coordinated work with the USFS and Alaska DNR, administered the contract (including RFP, selecting contractor, and in-field oversight) and conducted implementation and effectiveness monitoring.

Monitoring and Research

- Developed the **Southeast Alaska Long-term Monitoring Network (SALMoN)**, which conducts ecological monitoring of multiple restoration projects, with a special emphasis of involving community volunteers and students in monitoring activities. Includes monitoring of both upland forest and aquatic habitat restoration projects.

Other

- Participates in SEAKFHP, SAWC, and other regional restoration networks

Juneau Watershed Partnership 2013

Contact: Nina Horne, Executive Director

The Juneau Watershed Partnership is a 501(c)(3) non-profit organization established in 1998. **Our Mission** is to promote watershed integrity in the City and Borough of Juneau through education, research and communication while encouraging sustainable use and development.

Originally, the Mendenhall Watershed Partnership (MWP) was founded in 1998 by locals with concern for the environmental and economic health of the Mendenhall Watershed area. In 2006, MWP became the Juneau Watershed Partnership (JWP), expanding our geographic scope to include all watersheds located within the City and Borough of Juneau.

We work together with our community to identify opportunities for maintaining or improving watershed and habitat health and develop projects aimed at focusing community interest, understanding, and energy to benefit our watersheds. These projects include stream cleanup events, community field trips, and local environmental education activities. We collaborate with other organizations and agencies to monitor water quality and general stream health, to prevent the decline of healthy streams and to restore the health of impaired waterbodies. We also bring local agencies and stakeholders together to build understanding and make informed decisions to maintain habitat integrity and water quality in Juneau's watersheds.

Projects that the Juneau Watershed Partnership has been involved in since 1998 include:

Watershed Restoration and Research Projects:

- **Restoration and Mitigation Opportunities for Juneau Watersheds (2012-present)** - The JWP is compiling a series of watershed restoration and mitigation opportunities for the enhancement of fish habitat and water quality in Juneau's watersheds. Part of this project is the development of a GIS database of potential restoration and mitigation opportunities, a priority list for projects and preliminary conceptual designs for chosen high priority projects. Funding provided by the Federal Coastal Impact Assistance Program.
- **Pederson Hill Water Quality Monitoring (2012-present)** - Pederson Hill Creek is on the state's 303(d) list of impaired waterbodies. The final report of this project will help to evaluate the current hydrologic, selected chemical and biological conditions of the creek. Funding provided by DEC (ACWA program).
- **Juneau Beach Monitoring Program (2012-present)** - The JWP conducts water quality monitoring on recreational beaches to provide the community with data on bacteria levels. As part of this project, the JWP is increasing public awareness of health risks and potential sources. Funding provided by DEC (ACWA program).
- **Auke Lake Water Quality Monitoring (2012-present)**- The JWP is collecting water samples to monitor the seasonal concentrations of total aromatic hydrocarbons in Auke Lake. This data is relevant to determine the effect of motorized watercraft on water quality. In conjunction with that

work, the JWP partners with the CBJ to create a recreational user survey. Funding provided by DEC (ACWA program) and CBJ.

- **West Glacier and Moose Lake - Re-Vegetation after Culvert Replacements (2012-present)** - The JWP is partnering with SAGA and the USFWS to re-vegetate two areas where new culverts were installed. Funding provided by USFS.
- **Montana Creek Watershed Stewardship Plan (2012-present)** - As part of this project a “Montana Creek Task Force” is convened. The JWP is facilitating meetings with the task force and stakeholders, is conducting research and is documenting and assessing the current threats to the watersheds health. The task force will review the developed stewardship plan and will help to prioritize a list of actions. A final report will be published by the JWP. As part of Funding provided by USFS.
- **Restoration, Enhancement, and Mitigation Priorities for Juneau Watersheds (2012-present)** - The JWP is bringing together local biologists and natural resource agency staff to analyze and catalog potential restoration and mitigation opportunities. The compiled information will be used to provide a reference and watershed planning tool to support and guide watershed-based compensatory mitigation activities, local wetlands permitting and on-the-ground restoration projects in Juneau. Funding provided by NFF.
- **Lower Jordan Creek Watershed Stormwater Assessment (2011-2012)** - Mapping stormwater treatment and conveyance in the urban corridor of lower Jordan Creek Watershed to benefit future stormwater treatment BMP location, design, and implementation for targeted stormwater quality improvement in an impaired anadromous stream.
- **Auke Lake Watershed Assessment and Action Plan (2008-2009)**. The Auke Lake Watershed Assessment, completed by the Juneau Watershed Partnership (JWP) in 2009, provides background information and an inventory of Auke Lake Watershed land use, community development, hydrology, and habitat characteristics to the community at large. The Auke Lake Action Plan is a companion volume identifying and prioritizing the implementation of management guidelines to guide sustainable use and support of natural resources and values in Auke Lake watershed. Funding provided by the USFWS, Coastal Conservation Program.
- **Review of Restoration, Enhancement, and Mitigation Projects in Juneau, Alaska (2009-2011)**. In 1994, the Alaska Department of Fish and Game (ADFG) published the “Restoration and Enhancement of Aquatic Habitats in Alaska” report (Parry and Seaman, 1994). With this report as a guide, JWP is conducting a more specific inventory and assessment of habitat restoration, enhancement, and mitigation projects implemented in Juneau watersheds to improve future habitat rehabilitation and enhancement efforts. This project is a partnership with the U.S. Fish and Wildlife Service in Juneau. Results of this work will be published in December 2010.
- **Auke Lake Watershed Assessment (2007-2008)** - The JWP conducted a watershed assessment of Auke Lake in 2007 and 2008. We provided the CBJ with an overview of the health and current

conditions of Auke Lake, and offered conservation and restoration recommendations to help ensure the sustainability of the fisheries habitat, recreational opportunities and aesthetic values of this beautiful little lake. Funding provided by the USFWS Coastal Conservation Program.

Outreach and Educational Projects:

- **"Salmon-Friendly" Snow Management (2007-2008)** - In order to reduce pollution in our local salmon streams due to snow storage, the JWP advocates 'salmon-friendly' snow management practices. We talked to local property owners, businesses, the CBJ and the Alaska Department of Transportation to ask them to use best management practices (BMP's) for plowing and snow storage. Funding provided by DEC (ACWA program).
- **Stormwater Management (2007-2008)** - The JWP partnered with the CBJ to help advocate for best management practices (BMP's) for local stormwater conveyances. We held trainings, created user-friendly outreach materials about 'salmon-friendly' stormwater conveyances and started a mapping project of Juneau's stormwater system. Funding provided by DEC (ACWA program).
- **Weeds in the Watershed (2009-present)** - The JWP worked with the Juneau Cooperative Weed Management Area (JNU-CWMA) to support the development and implementation of an integrated invasive weed management plan for Juneau.
- **Get to Know Your Watershed: Vanderbilt Creek (2007-2008)** - The JWP hosted an informal "Get to know Vanderbilt Creek" meeting to share habitat functions, values, and degradation within the Vanderbilt Creek watershed with local community residents and business owners. Funding provided by DEC (ACWA program).
- **Promoting Citizen-Based Salmon Habitat Protection (2009-present)** - In order to achieve our goal of advocating for responsible and adaptive watershed management, JWP works with riparian landowners and the CBJ to promote salmon habitat and riparian buffer protection.

Communication and Social Media:

- **Electronic Watershed Resource Library** - The JWP created an electronic library to provide information on Juneau watersheds. We are gathering reference and research documents relating to local watersheds and local watershed management in Juneau. Funding provided by the USFWS Coastal Conservation Program.
- **Stream Scene** - This quarterly newsletter shares with our members and our community what we are working on, watershed related topics, news within the organization, upcoming events, etc. The newsletter is available on our website and sent to members.
- **Water Ways** - Our annual report shares with our members and our community what we have been doing during the past year and what we are looking forward to in the coming year. The report is available on our website and sent to members.

- **Website** - www.juneauwatersheds.org

In-House Capabilities

- Pre-project coordination and planning
- Facilitation of stakeholder meetings
- Contract development
- Project coordination and supervision
- Information and outreach services
- Funding acquisition and grant writing

Trout Unlimited Alaska Program

Contact: Mark Kaelke

Trout Unlimited, Inc. (501c3) is the nation's largest and oldest cold-water fish conservation organization with roughly 150,000 members nation-wide and 1,000 members in Alaska. The current Trout Unlimited Alaska Program started in 2005. Since then we have partnered with federal and state agencies, municipalities and other non-governmental organizations to complete a variety of watershed restoration work in southeast Alaska.

Our primary contributions to these projects have been in the areas of grant acquisition, project coordination and management and the development of project media. We have two full-time staff members dedicated to restoration and media communications.

Projects that the Trout Unlimited Alaska Program (TUAK) has been involved with include:

Watershed Restoration Projects:

- **Sal Creek In-stream Restoration-** TUAK partnered with the United States Forest Service to conduct large wood placement, culvert replacement and riparian thinning in this watershed on east Prince of Wales Island.
- **Starrigavan Creek In-stream and Riparian Restoration-** TUAK partnered with the USFS, State of Alaska, Sitka Conservation Society and City of Sitka to install large wood, thin some 80 acres of riparian forest and replace three large culverts. TUAK obtained a significant amount of funding for this work and developed the RFP and awarded the thinning contract.
- **Montana Creek Habitat Remediation-** TUAK contributed significant funds towards the purchase of private lands and a structure, which straddled this creek. The structure was demolished, removed and the adjacent banks were remediated. The work was completed in partnership with the US Fish and Wildlife Service and the City and Borough of Juneau,
- **Sitkoh River Bank and Stream Restoration-** In partnership with the Sitka Conservation Society, TUAK submitted and was awarded funding from the Alaska Sustainable Salmon Fund to rebuild a section of stream bank and direct a river channel from an adjacent logging road back to the streambed. Large wood structures were placed in some 1800' feet of the river. This project was completed in partnership with the USFS and Alaska Department of Fish and Game.

Research Projects

- **Montana Creek Assessment-** In partnership with the USFWS, TUAK funded and completed a stream corridor assessment for a section of Montana Creek. The assessment formed the basis of a stream corridor conservation proposal that was integrated in the City and Borough of Juneau Comprehensive Plan.

In-House Capabilities

- Grant writing/funding acquisition
- Pre-project coordination and planning
- RFP/Contract development and awards
- Project media and communication services

Contractors Utilized:

- Southeast Road Builders- Haines, Alaska
- Triple T Contractors- Sitka, Alaska
- Aqua Terra Restoration, LLC- Driggs, Idaho

The Nature Conservancy, Alaska

Juneau Field Office

Contact: Norman Cohan

The Nature Conservancy is playing a major role in restoration activities in Southeast Alaska. We currently are partnering with the US Forest Service on several large stream restoration projects, primarily on Prince of Wales Island and now moving off the island to other priority watersheds within the Tongass National Forest. We also partner with the US Fish and Wildlife Service on restoration projects on state and private lands as well as with Alaska Native corporations on their land holdings.

The Conservancy has staff capacity in Southeast Alaska to complete stream assessments and to design silvicultural prescriptions for wildlife. In addition, we have legal and contracting capacity necessary to carry out large-scale projects.

Projects that The Nature Conservancy (TNC) has been involved during the past decade:

Aquatic Projects:

- Sal Creek – Prince of Wales Island (POW) – Funding partner
- Fubar Creek – POW – Funding partner
- Harris River – POW – Funding partner and construction contract administrator
- Harris River Tributaries – POW – Funding partner and design and construction contract administrator
- Klawock River – POW – Funding partner and construction contract administrator
- Twelvemile Creek – POW - Funding partner and construction contract administrator

- North Kuiu – Kuiu Island – Funding partner and future construction contract administrator
- Eagle-Luck – POW - Funding partner and future construction contract administrator
- Dog Salmon Creek – POW – Conducted pre-design habitat needs assessment, future funding partner

Terrestrial Projects:

- Sunnahae – POW – Wildlife prescriptions design consultant

Contractors Hired:

- B3 Contractors, culvert replacement – Klawock, Alaska
 - Columbia Helicopters, Portland, Oregon
 - Interfluve – design and engineering – Hood River, Oregon
 - Ketchikan Redi-Mix – culvert replacement – Ketchikan, Alaska
 - S&S Contractors – instream construction – POW and Sitka, Alaska
 - Southeast Road Builders – log collection and instream construction – POW and Sitka, Alaska
-

Tongass National Forest

Fisheries, Water, and Soils Staff

Contact: Sheila Jacobsen

The Tongass National Forest has a robust watershed restoration program with a large portfolio of accomplishments from small hand-tool projects to large, complex projects using heavy equipment and helicopter support. Our forest-wide staff includes three full time professional fisheries biologists, three soil scientists, and two hydrologists. Additional full time professional fisheries biologists and hydrologists are located at ranger districts throughout the forest. Individual qualifications are available on request.

We work closely with Tongass National Forest engineers, wildlife biologists, silviculturists, foresters, ecologists, botanists and other resource specialists to plan and accomplish interdisciplinary restoration projects. We participate in the recently formed Southeast Alaska Fish Habitat Partnership. We have active partnerships and cordial working relationships with a wide range of entities including the National Fish and Wildlife Foundation, The Nature Conservancy, the State of Alaska, Trout Unlimited, University of Alaska Southeast, tribal organizations, and communities throughout Southeast Alaska.

We have capacity to plan, design, and complete field projects in-house, with partners, or with contracts as needed throughout the Tongass National Forest. Inventories, assessments, and monitoring follow standard published procedures, available on request. We have developed local guidelines and procedures for stream channel classification, wood collection for in-stream restoration, culvert fish passage assessment, fish habitat assessment, riparian second-growth treatments, erosion control, and other restoration related activities. Projects are usually focused on restoring watersheds impacted by historical timber harvest and roads. Protection measures are now in place to prevent these impacts.

A Small Sample of Recent and Ongoing Projects in the Tongass National Forest:

- Kadake Creek Tributary (Kuiu Island): reconnected streamflow and anadromous fish access to habitat through road relocation and stream channel restoration
- Harris River and Gandlaay Haanaa (Prince of Wales Island): restored streams, reconnected floodplains, stabilized roads, restored fish access, thinned second-growth riparian forest
- Sitkoh River (Chichagof Island): reconnected streamflow and restored anadromous fish habitat through log structure installation and road stabilization; thinned second-growth riparian forest
- Twelvemile Watershed (Prince of Wales Island): restore mainstem fish habitat through placement of log structures; thin riparian and upland second-growth forest; decommission 6.5 miles of old logging road, including removal of fish stream structures
- Ten-mile Bog (Yakutat): worked with Yakutat partners to rehabilitate ATV trail and re-establish functioning wetland using coir logs, jute matting and wetland plug planting
- Stikine-LeConte Wilderness: eradicated invasive weeds along Stikine River using hand treatments
- Wrangell Island shot rock road obliteration: removed rock for use on other road, restored wetland function and vegetation
- Staney Watershed (Prince of Wales Island): decommissioned un-needed roads using heavy equipment to restore natural drainage patterns and fish passage
- Couverden Peninsula: removed culverts from a closed logging road using explosives

In-House Capabilities – Inventories, Assessments and Project Design Expertise

- Watershed condition assessments and watershed restoration planning (over 20 watershed restoration plans have been written for 6th code (12 digit) watersheds)
- Watershed restoration prioritization (by watershed and individual projects within watersheds)
- Stream surveys to assess habitat and channel condition
- Stream surveys to verify fish presence using habitat- and species-appropriate tools (minnow trapping, electroshocking, etc.)
- Stream, floodplain, soils, and wetland mapping
- Slope and soil stability assessment
- Geographical Information System data stewardship and analysis
- Culvert fish passage and hydraulic assessments and remediation
- Road and trail condition surveys to address erosion and drainage needs
- Botanical surveys (rare plants, invasive plants)

In-House Capabilities – Project Implementation Expertise (including Contract Oversight)

- In-stream fish habitat and floodplain restoration using natural materials, including large wood procurement and placement, using either heavy equipment or helicopters
- Contracting, grants, agreements, partnerships
- Riparian and upland silvicultural treatments for watershed and wildlife objectives
- Erosion control
- Use of explosives for removing stream crossing structures for watershed and fisheries objectives
- Road re-location, decommissioning, storage
- Foot trail and ATV trail construction
- Culvert and bridge design, installation, replacement, removal

In-House Capabilities - Restoration Monitoring Expertise

- Routine monitoring of in-stream restoration: channel metrics and photo points
- Watershed Restoration Effectiveness Monitoring: collaboration with Forest Service research to test innovative metrics in addition to routine physical habitat and biological metrics
- Aquatic species monitoring: snorkel surveys, minnow trapping, mark and recapture, weirs, and smolt traps
- Best Management Practices Evaluation: ensure water quality protection measures during ground disturbing projects (including restoration) are implemented and effective
- Vegetation response monitoring: standard vegetation plots, photo points and increment cores.
- Collection and analysis of low altitude digital still photography for monitoring stream restoration and vegetation changes

Juneau Fish and Wildlife Field Office

Habitat Restoration Program

Contacts: Neil Stichert and John Hudson

The Juneau Fish and Wildlife Field Office (JFO) Habitat Restoration Program delivers a variety of habitat protection, assessment, restoration, and enhancement projects and services through its core restoration and conservation programs: Partners for Fish and Wildlife, Coastal Conservation, and Fish Passage. These programs support collaborative efforts with our partners to restore and enhance fish and wildlife habitat, conserve coastal ecosystems, and remove barriers to fish passage throughout Southeast Alaska, largely on non-federal lands. The program is staffed by two full time fisheries biologists with expertise in habitat assessment, partnership development, engineering design review, permitting, construction oversight, and monitoring. In addition to these activities, program staff provides organizational development support watershed councils, land trusts, and the Southeast Alaska Fish Habitat Partnership. This Partnership supports cooperative fish habitat conservation, restoration, and management in Southeast Alaska.

Recent Projects

- Fish Passage Improvement:
 - Harris River tributaries, Hollis (two locations, one pending)
 - Pullen Creek, Skagway (3 locations)
 - Good River and Rink Creek Watersheds, Gustavus
 - Cannery Creek, Haines (design complete, 2 locations)
 - Klawock causeway, Klawock
- An Inventory and Assessment of Habitat Improvement Projects in the City and Borough of Juneau
- Haines Area Fish Passage Inventory, Assessment, and Prioritization
- Hill 560 Watershed Assessment, Juneau
- Lower Jordan Creek Stormwater Hydrography Mapping, Juneau
- Pullen Creek StreamWalk planning and design coordination
- Juneau Area Invasive Plant Management
- Riparian Enhancement, Skagway and Juneau (7 sites)

- Anadromous Waters Cataloging, Juneau and Yakutat

Outreach and Technical Assistance

- Expert review - ADFG Streambank Stabilization and Protection Guide revision
- Fish Passage and Riparian Restoration workshop instruction
- Fish Passage design review
- Section 404 permit review
- Restoration/mitigation site identification and characterization

Selected Partners

- City of Yakutat
- City of Gustavus
- City and Borough of Juneau
- Municipality of Skagway
- Alaska Association of Conservation Districts
- Southeast Alaska Watershed Coalition
- SAGA, Juneau
- Takshanuk Watershed Council, Haines
- Juneau Watershed Partnership, Juneau
- University of Alaska Southeast
- Alaska Department of Fish and Game
- Alaska Department of Transportation

Ecological Land Services, Inc.

Wetlands, Habitat and Natural Resource Planning Firm

Contact: Francis Naglich (francis@eco-land.com)

Ecological Land Services Inc. (ELS) is currently developing a wetland mitigation plan for a mining project in the Juneau area. The project will impact wetlands principally through mine tailings placement. ELS worked over the past year to investigate and prioritize potential off-site mitigation opportunities. Over 10 sites in the greater Juneau area have been analyzed by ELS for potential mitigation. Sites were rated for various parameters including:

- Potential for wetland creation, re-establishment, rehabilitation, enhancement, and preservation.
- Site size and access, construction constraints, and cost.
- Opportunities for combining or consolidating impacts from other projects.
- Functional “lift” potential for habitat, water quality, and hydrologic function.
- Availability, encumbrances, long-term ownership, maintenance and monitoring requirements.
- Opportunities for other non-wetland improvements such as for stream or upland habitat.
- High quality habitat at risk of development.

From this pool of sites, we narrowed the selection to two sites that potentially had the best available mitigation potential. Further review and analysis was performed and the best site was determined. We

prepared a conceptual wetland mitigation plan and have undergone an initial round of agency review and comments. We are currently addressing those comments in order to prepare a final proposed wetland mitigation plan.

Our work thus far at the preferred mitigation site has included wetland reconnaissance and mapping, wetland determination, mitigation scoping, functional analysis using the WESPAK-SE, mitigation planning, and site remediation involving historic land uses and impacts on the site. Our partnering firm includes Waterman Mitigation Partners, responsible for mitigation site negotiation and acquisition.

Potential Wetland Mitigation Sites Currently Under Review:

Due to the proprietary nature of several potential sites or projects, at this time we can only provide general locations of the SE Alaska sites we are currently analyzing for mitigation. Once permit applications have been filed and become a part of the public record, ELS can provide updates and case histories of specific projects or sites we have worked on. Current or recent sites include:

- Juneau area, seven sites
- Douglas Island, three sites
- Prince of Wales Island, one site
- Petersburg, one site

In-House Capabilities

- Wetland determination and delineation
 - Functional assessment utilizing WESPAK-SE
 - Wetland mitigation planning and permitting
 - Mitigation banking, consolidated mitigation, advanced mitigation
 - Wetland creation re-establishment, enhancement and preservation
 - Land and easement acquisition and negotiation
 - Mitigation implementation, maintenance and monitoring
-

Waterman Mitigation Partners

Contact: Steve Sego, Managing Partner

Qualifications: For more than ten years we have identified, permitted, constructed and managed mitigation projects, including Mitigation Banks, Consolidated Mitigation Projects and Permittee Responsible Mitigation. Our expertise includes site selection, acquisitions/negotiations, capital and management services, permit support (NW27, 404), agency/IRT coordination, design coordination, construction/site management, conservation easement/instrument creation, monitoring, maintenance, in-perpetuity coordination and all aspects of wetland and habitat mitigation required to accommodate 404 permit approval. In essence, Waterman Mitigation Partners (WMP) is a full service wetland mitigation company capable of providing every aspect of wetland mitigation necessary for public and private users.

Experience: We have developed and permitted mitigation projects in Washington, and are currently in the final permitting phase of a 500 acre mitigation (restoration and preservation) project in SE Alaska in support of a 404 permit for a mining company applying to expand their current operations. More details

will be available in May 2013 upon the issuance of the project EIS and Record of Decision to support the proposed unavoidable impacts for the project. The draft mitigation plan is in the final phase of review and approval by Federal and State permitting agencies, including USACE, USFWS, USFS, EPA and ADFG. We were tasked with identifying restoration sites for the project, and identified multiple options before agreeing, with agency involvement, that the current site would provide the ecological lift and mitigation quantity necessary to support the project impacts, if the final permit was approved.

Partnerships/Support: Waterman Mitigation Partners has worked extensively with Ecological Land Services (ELS), Longview, Washington, in a multitude of aspects supporting mitigation design, permitting and construction, including constructed Mitigation Banks and Consolidated Mitigation Projects. ELS is currently a project partner on the SE Alaska Mitigation Project referenced above. In addition, WMP has developed a staff and team capable of providing necessary support services, including site assessment/acquisition, project logistics, administration, construction and legal/instrument development. Our land use and mitigation specialists are capable of supporting and drafting all documents and instruments required by federal and state agencies in support of In-Lieu Fee, Mitigation Banking, and Consolidated Mitigation Projects.

DOWL HKM

Contact: Brad Melocik, P.E., P.H.

DOWL HKM is dedicated to maintaining high standards of quality for our work, seeking innovative solutions for unique design challenges, and working collaboratively with clients to make sure of the best possible approach for meeting schedule, budget, and community needs. DOWL HKM has assembled a team of engineers and hydrologists with a solid reputation for developing plans, hydrologic and hydraulic (H&H) analyses, and recommendations for water resource projects throughout Alaska. Our staff is a talented, energetic group that will bring a hard-working attitude and an open-minded approach to Southeast Alaska Watershed Coalition projects. Our team members have substantial experience with highway and bridge projects, fish passage projects, geomorphic analyses, culvert replacement projects, stormwater management, flood mapping, sedimentation studies, drainage studies and review, stormwater pollution prevention plans (SWPPPs), and erosion and sediment control (ESC). In addition, our team is familiar with design requirements specific to tidal areas, low impact development (LID), oil-grit separator (OGS) and outfall design, storm drainage relocation, snow disposal, and construction phase services. Our qualifications have been gained through working on a variety of successful projects and applying our energies to make them excel. The key staff of the DOWL HKM Team is summarized below.

Key Staff

Bradley M. Melocik, P.E., P.H. (CE-11098-AK)

Brad will serve as Project Manager. He will be the primary point-of-contact and will be responsible for development of the work plan and overall document control, as well as leading the water quality and hydraulic modeling tasks. Brad holds a B.S. in Environmental Engineering from the University of Florida and has 13 years of expertise primarily focused in hydrology, hydraulics, drainage studies, fluvial geomorphology and stormwater design. Brad brings to the team in-depth knowledge of fish passage design, and H&H analyses, including drainage analyses, HEC-RAS modeling, scour analyses, and fluvial geomorphology; experience working with the public; and an understanding of the area conditions in and around Alaska. He is familiar with the processes and procedures throughout Alaska and he is experienced working and coordinating project information with various resource agencies.

Richard D. Pribyl, P.E., AVS, CISEC (CE-13149-AK)

Rich will lead drainage studies, storm drain design, water quality treatment, fish passage, geomorphology, ESC/SWPPP support, and construction support. With a strong background in hydrology, H&H analyses, roadway drainage, geomorphology, sediment transport, fish passage culvert design, and SWPPP/construction inspection, Rich is well suited for this position. Rich holds a B.S. in Civil Engineering from the University of Wyoming with an emphasis on water resources. He is very familiar with fish passage criteria and associated environmental permitting, having worked on the design of 47 fish passage culverts across Alaska. Rich believes in taking a “hands on” approach to projects, and enjoys all phases of projects from preliminary studies and surveys through construction. Rich understands the challenges associated with remote locations and believes in working with clients to utilize locally available materials and equipment to reduce construction costs while still resulting in successful projects. He was the lead engineer for fish passage projects in Gustavus, Haines, and Cordova. Rich has worked on several other H&H projects in Ketchikan, Juneau, and on Prince of Wales Island.

Kirsten R. Valentine, E.I.

Kirsten Valentine (“Valentine”) earned her B.S. in Civil Engineering, Bio Resources Option from Montana State University in 2009. After graduation, Valentine worked for the USGS Water Resources Division, identifying scour susceptible bridges for DOT&PF. She surveyed streambeds and floodplains with varied equipment, from rod and auto level to boat mounted Acoustic Doppler Current Profiler with differential GPS. She performed discharge and sediment transport measurements, and processed data using HEC-RAS, ArcGIS, and MS Excel. She assisted in the installation and maintenance of acoustic stage sensors, sonar transducers, and supporting electronics. After the term expired, Valentine worked doing environmental remediation, designing and executing soil and groundwater sampling plans. Her detailed focus, problem solving skills, and methodical approach has earned her a reputation for high quality work. Both positions involved extensive fieldwork around heavy equipment and boats, necessitating a deep appreciation for workplace safety.

Recent projects that demonstrate our H&H capabilities:

- Sunrise Road Fish Passage Restoration, Wasilla
- Hatcher Pass Recreational Area Access, Trails and Transit Facilities, Matanuska-Susitna Borough (MSB)
- Fish Passage Restoration at Eccles Creek, Cordova
- Nirvana Park Oil-Grit Separator Feasibility Study, Cordova
- Gustavus Fish Passage Improvements, Gustavus
- Forest Highway 43 Road Improvements, Milepost 68.8 to 81.0, Prince of Wales Island
- Sandy Beach Road and Multipurpose Trail, Thorne Bay to Sandy Beach Day Use Area, Prince of Wales Island
- Hoadley Creek Hydraulic Analysis, Ketchikan
- Municipality of Anchorage Stormwater Criteria Manual Update, Anchorage
- Snow Storage Site Planning, Permitting Assistance and Design, Juneau
- Carlanna Project Area Drainage Design, Ketchikan
- Duck Creek Relocation, Juneau

- Alyeska Master Drainage Plan, Girdwood
- Gustavus Fish Passage Improvements, Gustavus
- Buddy Creek, Cottonwood Creek and Goose Creek Fish Passage Improvements, MSB
- Cannery Creek Fish Passage, Haines
- Haines Highway MP 3.5 to 25.3 (H&H and Fish Passage), Haines

In-House Capabilities

- Hydrologic analyses to determine peak design flows that are subsequently used in hydraulic models to evaluate existing storm drain systems, size drainage structures, and develop drainage plans for clients.
- Fish passage designs utilizing stream simulation/embedded culvert principles to improve fish access to upstream habitat while increasing flood conveyance.
- Flood hazard analysis and mitigation efforts, including research of Federal Emergency Management Agency floodplains and evaluating potential impacts resulting from proposed development.
- Improving water quality through installation of oil-grit separators, bioswales, infiltration ponds, LID design, and other treatment measures.
- Stream diversion and relocations in support of mining operations, transportation projects, culvert replacements, and site development.

All support services including Survey, Geotechnical, and Environmental (Wetlands/Permitting).

Inter-Fluve, Inc.

Contact: Jonathan Graca (marketing)/Dan Miller (Hydraulic Engineer)
(541) 386-9003

Background

Since 1983, we have been pioneering fisheries and river restoration design and engineering. As national leaders in aquatic and riparian resource analysis and restoration, our multidisciplinary team integrates biology, hydrology, and engineering to design environmentally sound solutions for systems ranging from alpine to coastal, rural to urban. With 29 years of experience building our designs, we have an unparalleled ability to portray complex and innovative solutions into plans and specifications, and to provide efficient construction services.

Our project portfolio includes over 1,500 successful projects worldwide. Each projects draws upon our expertise in hydrology, geomorphology, hydraulic engineering, fisheries biology, and related fields to provide planning, design, permitting, and construction services to clients in the private and public sectors.

On each project, we maintain a focus on integrating science and engineering for complex water resources and aquatic habitat problems. Our engineers understand the complexities of working within dynamic natural environments, and our scientists understand the importance of sound engineering design to ensure safety and longevity in implemented projects.

Inter-Fluve is an SBA-certified Small Business with offices in Hood River, OR; Bozeman, MT; Madison, WI, and Cambridge, MA.

SERVICE AREAS**Design**

River & Stream Channels
Wetlands, Lakes & Ponds
Estuaries
Dam Removal
Urban Waterfront
Sustainable Developments
Bank Stabilization & Bioengineering
Aquatic & Riparian Habitat Improvements
Fish Passage & Hydraulic Structures

Construction, Permitting, & Monitoring

Design-Build
Construction Oversight
Permitting
Monitoring Plans

Technical & Advisory Services

Emergency Response
First Nations Collaborative Stewardship
Mitigation Planning
Watershed Planning
Feasibility Studies & Alternatives Development
Design Guidelines
Expert Testimony

Investigations

Fluvial Geomorphology
Hydrologic & Hydraulic Analyses
Sediment Transport Analyses
Fisheries & Aquatic Resources

PROJECTS

Inter-Fluve has been performing fish and habitat restoration in Alaska since 2000. Below are brief sketches of projects we've completed across the state.

Chester Creek Fish Passage & Design

Anchorage, AK

- | | | | | |
|---|---|---|--|---|
| • | 9 | • | field investigation and topographic survey | F |
| • | | • | hydrology | H |
| • | F | • | hydraulics | H |
| • | F | • | stream relocation and fish habitat design | S |
| • | H | • | vegetation | V |
| • | S | | | |
| • | C | | | |

Cooper Creek Sediment & Geomorphology Investigation

Kenai Peninsula, AK

- | | |
|---|---|
| • | G |
| • | C |
| • | H |
| • | R |
| • | H |
| • | R |

Gustavus Stream Relocation at Gustavus

Airport

Juneau, Alaska

Gustavus Stream Culvert Design & Replacement

Juneau, Alaska

- | | | | | | |
|---|--|---|---|------------------------|---|
| • | Field Investigation and Topographic Survey | F | • | Sediment analysis | S |
| • | Hydrology | H | • | Construction oversight | C |
| • | Hydraulics | H | • | Monitoring Plan | M |
| • | Culvert Fish Passage Analysis and Design | C | | | |

Haines Highway Fish Passage Evaluation

Haines, AK

- | | | |
|---|---|---|
| • | Geomorphic, fish passage and fish habitat assessment of project reach (MP 3.5 – 25, including 106 culverts) | G |
| • | Channel stability assessment | C |
| • | Hydraulic/sediment mobility analysis and modeling | H |
| • | Recommendations for best management practices | R |
| • | Channel restoration recommendations | C |
| • | Hydrologic and hydraulic analyses | H |
| • | Riparian and in-stream habitat assessment | R |

Salmonid Habitat Mitigation & Monitoring Plan

Klehini River, AK

- | | | |
|---|--|---|
| • | Wetland mitigation design for salmonids | W |
| • | New channel design for spawning & rearing (7,000 feet) | N |
| • | Fish habitat assessment | F |
| • | Hydraulic and geomorphic analysis | H |

		<i>Mendenhall River, Alaska</i>	
Lemon Creek Watershed Assessment and Sediment Transport Analysis Phases I & II <i>Juneau, Alaska</i>		• developed bioengineering design guidelines	D
		• hydraulic and geomorphologic analysis	H
		• native plant revegetation	N
		• public information workshops	P
		Fish Passage & Dam Removal Feasibility Analysis	
		<i>Ship Creek, Anchorage, AK</i>	
• geomorphic assessment of project reach	G	• fish passage conceptual design (12-foot Elmendorf dam & 5-ft Fort Richardson dam)	F
• channel stability assessment	C	• fish habitat assessment	F
• hydraulic/sediment mobility analysis and modeling	H	• hydraulic and geomorphic analysis	H
• recommendations for best management practices	R	• sediment transport analysis	S
• channel restoration recommendations	C	• cost estimate	C
• hydrologic and hydraulic analyses	H	Fish Passage Alternatives Analysis	
• riparian and in-stream habitat assessment	R	<i>Ship Creek, Anchorage, AK</i>	
Fluvial Geomorphic Assessment & Preliminary Flood Mitigation Plan <i>McCarthy, AK</i>		• design alternatives for fish passage around dam	D
• geomorphic assessment of project reach	G	• channel stability assessment	C
• channel stability assessment	C	• hydraulic/sediment mobility analysis	H
• hydraulic/sediment mobility analysis and modeling	H	• recommendations for best management practices	R
• recommendations for best management practices	R	• channel restoration recommendations	C
• hydrologic and hydraulic analyses	H	• hydrologic and hydraulic analyses	H
Bioengineered Bank Stabilization Alternatives Development PERSONNEL			

Our staff maintains a depth of expertise and experience that remains unchallenged nationally and internationally. We maintain a focus on integrating science and engineering for complex water resources and aquatic habitat problems. Our engineers understand the complexities of working within dynamic natural environments, and our scientists understand the importance of sound engineering design to ensure safety and longevity in implemented projects. All the members of our team have a working understanding of, and enthusiasm for, natural rivers and water resource management.

Our Staff includes licensed engineers and professional scientist specializing in the following disciplines:

•	Water Resource Engineering	W	•	ADD & Graphics	C
•	Fish Biology	F	•	Hydraulic Engineering	H
•	Water Resources Recreation	W	•	Hydrology	H
•	Civil Engineering	C	•	Plant Ecology	P
•	Sediment Transport	S	•	Construction Management	C
•	Aquatic Ecology	A	•	Geotechnical Investigation	G
•	Fluvial Geomorphology	F			

Agenda Item 13d

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

INFORMATION:

Approval of the Senior Tax Exemption for Nadine Phillips

Attachments

1. Memorandum from Finance Director, Jeff Jabusch dated June 11, 2013

RECOMMENDED ACTION:

Move to approve the Senior Tax Exemption for the year 2013 for Nadine Phillips

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: JEFF JABUSCH
FINANCE DIRECTOR**

**SUBJECT: APPROVAL OF SUPPLEMENTAL TAX ROLL/SENIOR TAX
EXEMPTION**

DATE: June 11, 2013

BACKGROUND:

At the time of the Board of Equalization meeting, there was a question regarding the eligibility of one of the Senior Tax Exemptions that was filed, more specifically, that of Ms. Nadine Phillips. Ms. Phillips had filed it in a timely manner, but there was some question as to her eligibility at the time Mr. Renfro was in town prior to the Board of Equalization.

Because of the uncertainty, Mr. Renfro asked staff to process a supplemental roll with Ms. Phillips to provide staff the time to notify her that she had been denied, and to also request her to provide proof of eligibility for the exemption.

Ms. Phillips has provided proof that she is qualified to receive the Senior Citizen Property Tax Exemption for the 2013 Tax Year and staff recommends the approval of the Supplemental Tax Roll and the Senior Property Tax Exemption for Ms. Nadine Phillips. The impact to the Senior Property Tax Revenue is \$1,912.50.

RECOMMENDATION:

Staff recommends Borough Assembly approve the supplement tax roll and the Senior Tax Exemption for Ms. Nadine Phillips in the amount of \$150,000 for the 2013 Tax year.

Agenda Item 13e

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

INFORMATION:

RESOLUTION NO. 06-13-1279: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA APPROVING A REVISION TO THE PERSONNEL HANDBOOK TITLED PERSONNEL POLICY, AND PROVIDING FOR AN EFFECTIVE DATE

Attachments

1. Memorandum from Finance Director Jeff Jabusch, dated 06/10/13.
2. Resolution No. 06-13-1279

RECOMMENDED ACTION:

Move to adopt Resolution No. 06-13-1279.

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: JEFF JABUSCH
FINANCE DIRECTOR**

SUBJECT: RESOLUTION ADOPTING CHANGES IN PERSONNEL MANUAL

DATE: June 10, 2013

BACKGROUND:

The attached resolution is housekeeping to actually change the language in the personnel policy regarding policy changes adopted in the budget. This is required by resolution since the policy is adopted by resolution. The following explanation about these changes and other related changes to our health insurance policy were included in an e-mail sent by Borough Manager Rooney to the assembly on June 5, 2013.

From the referenced email: Ms. Paula Scott has been working with staff to re-work the insurance premiums that were provided to us at the beginning of the renewal process, as well as look into changes we could implement as a municipality in order to lower the premiums. We believe we have come up with some acceptable changes that will lower the city's burden and yet not overwhelm employees with substantial increases.

The FY 2013-14 Budget included an increase in the premium to be paid by the City and Borough of Wrangell to the tune of 33%. That would represent no changes to the existing coverage as it is provided today. In order to reduce that increase, the following saving measures have been identified:

- Currently there are two tiers of employees for health insurance purposes. (Please note, these "tiers" are not to be confused with the PERS program). Tier 1 employees are employees that were hired prior to 7/1/2009. Tier 2 employees are employees hired after 6/30/2009. The only difference between Tier 1 and Tier 2 employees is that Tier 2 employees (those hired after 6/30/2009) must pay 30% of the insurance premiums for their spouse and dependants while Tier 1 employees are provided 100% coverage for their spouse and dependants. If we shift the current requirements so that Tier 1 employees have to pay 30% of the insurance premium for their spouses, the anticipated savings to the City is upwards of \$120,800.
- There are two important items to note regarding this change. *The first, is that it would not affect those employees in the Collective Bargaining Agreement with IBEW until such time that a new agreement is negotiated.* The current agreement expires June 30, 2014. Assuming the same rules would apply to those within the Collective Bargaining Agreement after that date, the savings would only increase. The second is that many of the employees already have working spouses with insurance and the city's insurance represents "double coverage."

- Currently the deductible for the insurance is \$1,500 with the city reimbursing employees for any amount from \$1001 to \$1,500. A total of only 17% of the total amount possible (\$65,000) to be used for reimbursement was utilized in 2012 representing \$11,000. This percentage of use is consistent with previous years as well. If the deductible is raised to \$3,000 and the city were to reimburse employees for everything above \$1000 to \$3,000, there is a huge savings to the City to the tune of about \$174,000. Please note while there is some risk in this proposal if every employee were to max out and use \$3,000 worth of their deductible, the city would have to reimburse \$260,000. However, historically as is outlined above, only 17% of the total amount possible is used. Even if we conservatively estimate that 30% of the total amount of deductible is used, it would still represent a substantial savings.
- Office visit co-pays would increase from \$25 to \$35, but there would be no limit on visits which currently there is a limit of 6.
- Prescription co-pays would increase from \$10/\$20/\$40 to \$20/\$40/\$80.

RECOMMENDATION:

Staff recommends Borough Assembly adoption of the Resolution.

ATTACHMENTS:

1. Resolution No. 06-13-1279

CITY AND BOROUGHS OF WRANGELL

RESOLUTION NO. 06-13-1279

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA APPROVING A REVISION TO THE PERSONNEL HANDBOOK TITLED PERSONNEL POLICY, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The City and Borough of Wrangell adopted a revised Employee Handbook on January 8, 2013; and

WHEREAS, since that policy was adopted the borough was notified that our group health premium for fiscal year 2014 was increasing 37%; and

WHEREAS, in an effort to control the borough's health care costs during the budget process, various options were identified which included increasing the health care deductible from \$1500 to \$3,000 and to have Tier I non- union employees pay a portion of their health care; and

WHEREAS, the borough currently has group health employees labeled as Tier I employees that have 100% of their health care premiums paid by the borough for the employee, spouse and children; and

WHEREAS, it is required that the employee handbook be modified to reflect any changes;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL OF WRANGELL, ALASKA, that the City and Borough of Wrangell approves the terms and revisions of the Personnel Policy as follows.

1. Tier I non-union employees will be required to pay 30% of the cost of the premium for their spouse and to have this cost deducted from their monthly payroll check.
2. The effective date of this resolution shall be July 1, 2013.

ADOPTED: _____, 2013

David L. Jack, Mayor

ATTEST: _____

Kim Flores, Borough Clerk

Agenda Item 13f

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

INFORMATION:

**Acceptance of resignation of the Borough Manager; and discussion
regarding possible replacement**

Attachments

RECOMMENDED ACTION:

Move to accept the resignation from Borough Manager Timothy D. Rooney, effective August 9, 2013

Agenda Item 14

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
June 25, 2013**

ATTORNEY'S FILE:

Summary provided to the Borough Assembly

Agenda Item 15

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM June 25, 2013

EXECUTIVE SESSION:

a. Borough Clerk's Evaluation

RECOMMENDED ACTION:

I move, pursuant to 44.62.320 (c) (2), that we recess into executive session to discuss matters that may tend to prejudice the reputation and character of any person, specifically the Borough Clerk's Evaluation.

b. Discussion regarding possible replacement of the Borough Manager

RECOMMENDED ACTION: