

  
**Haines Borough**  
**Borough Assembly Meeting #265**  
**AGENDA**

**March 11, 2014 - 6:30 p.m.**

**Location: Assembly Chambers, Public Safety Bldg.**

*Stephanie Scott,*  
Mayor

*Dave Berry Jr.,*  
Assembly Member

*Diana Lapham,*  
Assembly Member

*Debra Schnabel,*  
Assembly Member

*Joanne Waterman,*  
Assembly Member

*George Campbell,*  
Assembly Member

*Jerry Lapp,*  
Assembly Member

*David Sosa,*  
Borough Manager

*Julie Cozzi,*  
Interim Manager

*Michelle Webb,*  
Interim Clerk

**1. CALL TO ORDER/PLEDGE TO THE FLAG**

**2. ROLL CALL**

**3. APPROVAL OF AGENDA & CONSENT AGENDA**

*[The following Consent Agenda items are indicated by an asterisk (\*) and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

- 4 – Approve of Minutes
- 8B – Fire Department Report
- 9A – Tourism Advisory Board Report/Correspondence
- 9B – Sheldon Museum and Cultural Center Minutes
- 9C1 – Commerce Committee Report
- 11A1 – Adoption of Resolution 14-03-539
- 11A2 – Adoption of Resolution 14-03-540
- 11A3 – Adoption of Resolution 14-03-541
- 11A4 – Adoption of Resolution 14-03-542
- 11A5 – Adoption of Resolution 14-03-543
- 11A6 – Adoption of Resolution 14-03-544
- 11B1 – Introduction of Ordinance 14-03-371
- 11C1 – Board Appointments
- 12B – Juneau Access Letter from Mayor
- 12C – Loewen Letter re: Wood Sheds

**\* 4. APPROVAL OF MINUTES – 2/25/14 Regular Meeting**

**5. PUBLIC COMMENTS** [Any topics not scheduled for public hearing]

**6. MAYOR'S COMMENTS/REPORT**

**A. Formal Oath of Office – Chief of Police Bill Musser**

**7. PUBLIC HEARINGS**

**A. New Commercial Tour Permit – Haines Rafting Company**

*Andy Hedden, of the Haines Rafting Company, has applied for a new 2014 Commercial Tour Permit to offer Chilkat Bald Eagle Preserve tours by raft and van, as well as van tours in the Haines Borough and to Haines Junction, Canada. The tourism director, police chief, and harbormaster have reviewed the application and their comments are included in the packet. HBC Title 5 requires a public hearing before the assembly for all new tour activities. **Suggested Motion:** Authorize the interim borough clerk to process the Haines Rafting Company application, and if everything is in order, issue a 2014 commercial tour permit.*

**B. New Commercial Tour Permit - Rainbow Glacier Adventures**

*Joe Ordonez, of Rainbow Glacier Adventures LLC, has applied for a new expansion of tour operations to include rafting and canoeing in the Chilkat River watershed and Mosquito Lake. The tourism director, police chief, and harbormaster have reviewed the application and their comments are included in the packet. HBC Title 5 requires a public hearing before the assembly for all new tour activities. **Suggested Motion:** Authorize the interim borough clerk to process the Rainbow Glacier Adventures application, and if everything is in order, issue a 2014 commercial tour permit.*

**C. Appeal of Planning Commission Decision – Big Salmon Ventures LLC Heliport Conditional Use Permit**

*On 1/27/14 Big Salmon Ventures LLC submitted a Conditional Use Permit (CUP) application for a heliport through its agent Scott Sundberg. At the 2/13/14 meeting, the planning commission made a motion to grant a one year CUP with conditions. That motion failed 4-3. BSV has submitted a timely filed appeal (on 2/18/14) of the planning commission's denial to approve the CUP with conditions. HBC 18.30.060*

## 7. PUBLIC HEARINGS --- continued

*allows for an appeal to the assembly of a planning commission decision. On 2/25/14 the assembly decided to rehear the appeal in its entirety. This rehearing was scheduled for this meeting as required by HBC 18.30.060(A).*

*The burden of proof shall be solely on the party challenging the commission's decision. The evidence shall be limited to a review of the record. "The Record" in this appeal is determined to be: all documents, oral statements, and any material objects that were provided to the planning commission in this matter. The evidence is limited to that same record, although further argument may be allowed. Argument is defined as "reasons given for or against a matter under discussion that is intended to convince or persuade the listener." Oral arguments are acceptable during this hearing. As typical for an appeal hearing, it will begin with presentations by BSV, staff, and then proceed with any public testimony.*

### **Assembly Action Needed:**

Confirm or reverse the commission's decision to deny Big Salmon Ventures' Conditional Use Permit.

- Reverse the planning commission decision to deny the CUP and grant the permit
  - with or without conditions
- Confirm the planning commission decision to not issue the CUP

### **SPECIFIC REASONINGS FOR THE DECISION MUST BE STATED AS PART OF THE MOTION**

*The assembly must make its decision at this meeting. The action shall be supported with written findings of fact keeping in mind that "in all decisions the burden of proof shall be on the party challenging the decision of the planning commission." The assembly may deliberate in open session or in executive session. Written findings that formalize the reasons for the decision will be drafted for assembly approval at the next meeting.*

**Note:** In the event that the assembly confirms the planning commission decision, the assembly will need to take action on the planning commission request for action.

#### **D. Ordinance 14-02-367 – Second Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.10.040 to modify assembly meeting minutes procedures.**

*This ordinance is recommended by the mayor, the interim clerk, and the interim manager. This ordinance was introduced on 2/11/14 and received a first public hearing on 2/25/14. **Motion:** Adopt Ordinance 14-02-367.*

#### **E. Ordinance 14-02-368 - Second Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Chapter 10.34 to authorize the use of ATVs on streets and highways within the borough and allowing use of snow machines on highway shoulders within the borough.**

*This ordinance was proposed by Assembly Member Lapp. A similar ordinance (11-06-269) was considered in 2011 but was not adopted. Several changes have been made to this new ordinance. The ordinance was introduced on 2/11/14. During the first public hearing on 2/25/14, the ordinance was amended to remove the section regarding private property permission. **Motion:** Adopt Ordinance 14-02-368.*

#### **F. Ordinance 14-02-369 - Second Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.30.050 appeals to the commission to conform to the requirements of filing an appeal.**

*This ordinance is recommended by the planning commission. This ordinance was introduced on 2/11/14 and received a first public hearing on 2/25/14. **Motion:** Adopt Ordinance 14-02-369.*

#### **G. Ordinance 13-10-352 – Second Public Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 13 to revise and clarify water and sewer service procedures.**

*This ordinance is recommended by the borough manager and chief financial officer. It was introduced on 10/22/13 and referred to the Government Affairs & Services Committee. That committee met on 12/3/13 and proposed advancement to the first hearing. The ordinance was introduced on 10/22/13, sent to the GAS committee, and set for its first public hearing on 2/11/14. The public was given an opportunity to comment on this ordinance at the 2/11/14 meeting. A substitute ordinance was adopted at the 2/25/14 meeting and a second public hearing date was set. **Motion:** Adopt Ordinance 13-10-352.*

7. PUBLIC HEARINGS --- continued

H. Ordinance 14-01-364 – First Public Hearing

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.62.030 to allow an assembly approved exception to the contract or sale limit to a borough officer or employee.**

*This ordinance is recommended by the director of public facilities. It was introduced on 1/14/14 and referred to Government Affairs and Services (GAS), which met on 2/11. GAS approved of this ordinance, and on 2/25/14 the assembly set it for a first public hearing at this meeting. **Motion:** Advance Ordinance 14-01-364 to a second public hearing on 3/25/14.*

8. STAFF/FACILITY REPORTS

A. Interim Borough Manager – 3/11/14 Report

\* B. Fire Department – Staff Report of February 2014

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

\* A. Tourism Advisory Board – Email Report/Correspondence of 2/28/14

\* B. Sheldon Museum and Cultural Center – Minutes of 2/14/14 Meeting

C. Assembly Standing Committee Reports

\* 1. Commerce Committee – Report of 2/26/14 Meeting

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

\* 1. Resolution 14-03-539

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with APC Equipment & Manufacturing in the amount of \$12,495 for the purchase and delivery of a dump trailer for the Ports and Harbors Department.**

*This resolution is recommended by the harbormaster. **Motion:** Adopt Resolution 14-03-539.*

\* 2. Resolution 14-03-540

**A Resolution of the Haines Borough Assembly accepting a 2014 Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant in the amount of \$31,500 for the purpose of Haines Borough Harbors Fish Waste Disposal and authorizing the Borough Manager to enter into a grant agreement with the Department of Commerce, Community, and Economic Development.**

*This resolution is recommended by the interim manager. **Motion:** Adopt Resolution 14-03-540.*

\* 3. Resolution 14-03-541

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Carson Dorn, Inc. for an amount not to exceed \$20,000 for Allen Road Water Design.**

*This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 14-03-541.*

\* 4. Resolution 14-03-542

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with PND Engineers, Inc. for an amount not to exceed \$1,719,515 for phase one engineering services for South Portage Cove Harbor Expansion – Concept No. 14.**

*This resolution is a result of the assembly acceptance of the Port and Harbor Advisory Committee's recommendation of design concepts at the 1/28/14 meeting. **Motion:** Adopt Resolution 14-03-542.*

\* 5. Resolution 14-03-543

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with PND Engineers, Inc. for an amount not to exceed \$17,330 for Third Avenue street improvements final design and bid phase services.**

*This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 14-03-543.*

6. Resolution 14-03-544

**A Resolution of the Haines Borough Assembly approving the temporary addition of territory to the Commercial Ski Tour Areas map to allow for a 2014 special ski competition event.**

*This resolution was written by the interim manager. **Motion:** Adopt Resolution 14-03-544.*

**11. NEW BUSINESS ---continued---**

**B. Ordinances for Introduction**

**\* 1. Ordinance 14-03-371**

**An Ordinance of the Haines Borough amending Borough Code Title 5 Subsection 5.04.130(A), Section 5.18.030, Chapter 5.20, and Section 5.22.010 to repeal commercial passenger vehicle permitting.**

*This ordinance is recommended by the commerce committee. **Motion:** Introduce Ordinance 14-03-371 and set a first public hearing for 3/25/14.*

**C. Other New Business**

**\* 1. Board Appointments**

*Appointment applications have been received for seats on the Tourism Advisory Board and a seat on the Fire Service Area #3 Board. The mayor plans to make the appointments and seeks assembly confirmation. **Motion:** Confirm the mayor's appointment of Karen Hess and Barbara Mulford to the Tourism Advisory Board for a term ending 11/2016 and Keith Brooks to the Fire Service Area #3 Board for a term ending 11/2016.*

**12. CORRESPONDENCE/REQUESTS**

**A. Assembly Member Campbell Email** - Interim Manager's Letter to Gov. Parnell regarding HB1

**\* B. Letter from Mayor Scott** - Juneau Access Project

**\* C. Loewen Letter** – Wood Shed Taxation

**13. SET MEETING DATES**

**A. Governmental Affairs and Services Committee** – Suggested for April - Request to develop a policy allowing exemptions and/or deferral to participate in LIDs from their 1/9/14 recommendation

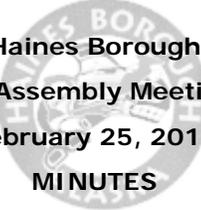
**B. Committee-of-the-Whole** - Election Reform Ordinance

**C. Committee-of-the-Whole** - Suggested Week of April 28th - Local Legislative Priorities continued

**14. PUBLIC COMMENTS**

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**16. ADJOURNMENT**

  
**Haines Borough**  
**Borough Assembly Meeting #264**  
**February 25, 2014**  
**MINUTES**

Draft

**1. CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **SCOTT** called the meeting to order at 6:30pm in the Assembly Chambers and led the pledge to the flag.

**2. ROLL CALL**

**Present:** Mayor Stephanie **SCOTT**, and Assembly Members Jerry **LAPP**, Debra **SCHNABEL**, Dave **BERRY**, George **CAMPBELL**, Diana **LAPHAM**, and Joanne **WATERMAN**.

**Staff Present:** Julie **COZZI**/Interim Borough Manager, Michelle **WEBB**/Interim Clerk, Krista **KIELSMEIER**/Administrative Assistant, Carlos **JIMENEZ**/Director of Public Facilities, Phil **BENNER**/Harbormaster, Darsie **CULBECK**/Executive Assistant, Jila **STUART**/Finance Director, Ed **BRYANT**/Maintenance, Tanya **CARLSON**/Tourism Director, Simon **FORD**/Interim Police Chief.

**Visitors Present:** Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Bill **KURZ**, Glenda **GILBERT**, Thom **ELY**, Jim **SHOOK**, Mary Jean **SEBENS**, Mike **BORCIK**, Mike **CASE**, Jerry **ERNY**, Royce **DOMBROCK**, Heather **LENDE**, Tim **ACKERMAN**, Steve **ALCOCK**, Scott **SUNDBERG**, Libby **KURZ**, and others.

**3. APPROVAL OF AGENDA & CONSENT AGENDA**

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Chilkat Center for the Arts Report
- 8C – Fire Department Report
- 9A1 – Planning Commission Minutes
- 9B – Parks and Recreation Advisory Committee Report
- ~~11A1 – Adoption of Resolution 14-02-536~~
- 11A2 – Adoption of Resolution 14-02-537
- ~~11A3 – Adoption of Resolution 14-02-538~~
- ~~11B1 – Introduction of Ordinance 14-02-370~~
- 11C3 – Set Ordinance 14-01-364 for First Public Hearing
- ~~11C4 – Ports and Harbors Design Confirmation~~
- ~~11C5 – Confirmation of 3<sup>rd</sup> Ave. Road Design~~
- 12A – Request for Grant Support Letter for Senior Center
- 12B – Request for Support of AAHPA Resolutions

**Motion:** **BERRY** moved to “approve the agenda and consent agenda,” and it was amended to remove item 11B1 – Introduction of Ordinance 14-02-370 from the agenda at the request of administration; and the following items were removed from the consent agenda for discussion: 11A1 – Adoption of Resolution 14-02-536, 11A3 – Adoption of Resolution 14-02-538, 11C4 – Ports and Harbors Design Confirmation, and 11C5 – Confirmation of 3<sup>rd</sup> Ave. Road Design. The motion, as amended, carried 5-1 with **BERRY** opposed.

In discussion, **WEBB** clarified there was no public hearing scheduled for Ordinance 14-01-364, under “Other New Business.”

**\*4. APPROVAL OF MINUTES** – 1/14/14, 1/28/14, and 2/11/14 Regular Meetings

**5. PUBLIC COMMENTS** [Any topics not scheduled for public hearing]

Royce **DOMBROCK** said police in town were overstepping their boundaries. **DOMBROCK** stated he was involved in a case where he was tased without warning. He believed there should be a warning before a person is tased. **DOMBROCK** said he had not been interviewed as part of an investigation.

## 6. MAYOR'S COMMENTS/REPORT

**SCOTT** thanked the assembly and community for sending her to an Alaska Municipal League (AML) winter legislative meeting and an AML board of directors meeting the previous week. She had meetings with legislators and government officials, discussing power rates, the wastewater treatment plant, and the borough's biomass project. Rep. Jonathan Kreiss-Tomkins assigned staffer Chandler Kemp to research two questions: What intervening parties have successfully appealed proposed rate increases in the past, and what arguments helped those intervening parties prevail? The borough had not heard whether the Regulatory Commission of Alaska had approved the petition to intervene. Rep. Doug Isaacson (North Pole) added the wastewater treatment plant to his list of state priorities. **SCOTT** referred to the Juneau Access Project and an upcoming hearing of the House and Senate transportation committees. She had not been called to testify, but said she would ask Kreiss-Tomkins and Isaacson to inquire about why the west side road was not being considered. She stated when Isaacson visited Haines, he had never heard of the west side route. Isaacson was willing to ask the Department of Transportation to bring that to the committee's attention. **SCOTT** also asked **SCHNABEL**, the chair of the borough's commerce committee, to attend a Southeast Conference summit March 12-14, and **SCHNABEL** agreed. **LAPP** told **SCHNABEL** that she would likely be asked to give a five-minute update on the community at the conference.

## 7. PUBLIC HEARINGS

### A. Ordinance 14-01-365 - Third Hearing

**An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 Budget.**

Mayor **SCOTT** opened and closed the public hearing at 6:40pm; there were no public comments.

**Motion:** **BERRY** moved to "adopt Ordinance 14-01-365," and the motion carried unanimously.

In discussion, **CAMPBELL** requested to divide the question by discussing the dump trailer (item 3) on its own. He referred to a memorandum from the harbor master claiming an \$8,000 savings per year from the trailer. **CAMPBELL** looked into how the savings were calculated, with figures from February. He requested the item be tabled until the next meeting, to allow the harbor department time to show the costs of labor. **BERRY** noted the harbor was much busier in the summer. **BENNER** said he wrote the memo months ago. He figured in manpower. From May to September, staff unloaded the dumpster at least once a day. The trailer would take two weeks to fill. This proposal was discussed with the Port and Harbor Advisory Committee and the Finance Committee. **BENNER** stated the 15 cents a pound rate quoted by **CAMPBELL** was for regular garbage, but electronics must be sorted and weighed separately at a different rate. **SCOTT** broke a 3-3 tie, voting in favor of including the trailer in the ordinance.

### B. Ordinance 14-01-366 - Second Hearing

**A non code ordinance of the Haines Borough approving the sale to Aspen Management, LLC of Lots 6 and 7 Primary School Subdivision plat No. 2008-21, Haines Recording District, First Judicial District, State of Alaska.**

Mayor **SCOTT** opened and closed the public hearing at 6:51pm; there were no public comments.

**Motion:** **BERRY** moved to "adopt Ordinance 14-01-366," and the motion carried unanimously.

In discussion, **BERRY** mentioned a proposed nonprofit hotel in Juneau, but noted Aspen Management, LLC was not a nonprofit. **SCOTT** cited a letter from Sue Folletti, which referred to discrepancies in land values. **SCOTT** said adjustments would be made in the upcoming tax assessments. She wanted to acknowledge that Folletti was concerned. The assistant assessor and contract assessor were focusing on downtown properties for changes. **SCOTT** said the assistant assessor's memo was based on current information.

**WATERMAN** asked about a letter from the Department of Environmental Conservation the borough was to receive, releasing the property. **CULBECK** said the property would be released for closure, but DEC still would be involved with institutional controls. **WATERMAN** said she thought there would be no restrictions on the property. **BERRY** stated the assembly previously discussed environmental concerns. **SCHNABEL** said another question was the liability the borough would take on with Aspen or any purchaser. State law allowed a purchaser with contaminated property to go through the chain of ownership to find the culpable entity. The assembly had to trust that Aspen would assume responsibility for the property and not come back to the borough with contamination issues. **WATERMAN** said she understood the memo to say the value had nothing to do with the contaminated soil. **SCOTT** said if there were more questions, the assembly could recess or postpone the ordinance. **COZZI** clarified she spoke with the assessor and assistant assessor, and both said they took the contaminated soil into consideration when setting the value of the property. **WATERMAN** said the memo was difficult to understand. She wanted to be clear the value reflected the contamination. **SCHNABEL** emphasized she was surprised by the land that was used in comparison to set the value, but she believed the properties were selected because they were vacant. There was a range in the values per square foot. **SCHNABEL** referred to responsibilities for the contaminated soil. She was concerned about taking on liability. **COZZI** stated she had been assured by the borough attorney that the only liability the assembly continued to have would be in the unlikely event of contamination runoff onto borough property. Aspen would be dealing with DEC. **LAPHAM** asked **CULBECK** about the upcoming letter from DEC and whether it would relieve the borough of liability. **CULBECK** responded that if there was an unknown contaminant, there could be a liability issue, but the borough did due diligence. Consultants drilled 100 holes at the property to investigate the contamination. DEC was very confident the borough had done due diligence. There also was a bond with the consultants to account for errors. **SCOTT** asked where revenues from the sale would go in the borough budget. **STUART** confirmed the revenue would be placed in the Permanent Fund. **CAMPBELL** said he thought there was an agreement when property was purchased for the new school; the old property would be sold to replace money used for the new school. **COZZI** researched this question previously. She found no record of any official action on the part of the assembly supporting that statement. She recalled discussion, possibly at a committee meeting, but there was no official action. **LAPP** asked the assembly to sell the property. **CAMPBELL** requested for the assembly to discuss the revenue from the sale at a future meeting.

**C. Ordinance 14-02-367 - First Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.10.040 to modify assembly meeting minutes procedures.**

Mayor **SCOTT** opened the public hearing at 7:12pm.

**ELY** stated he thought it was important for the public to have full testimony from assembly members and the audience. He understood there was a backlog of minutes. If the assembly decided to go forward with action minutes, he would like audio files with tabs for easier navigation.

Mayor **SCOTT** closed the public hearing at 7:13pm.

**Motion:** **BERRY** moved to "advance Ordinance 14-02-367 to a second public hearing on 3/11/14," and the motion carried unanimously.

In discussion, **CAMPBELL** said audio files had been discussed, because people did not want to scroll through a whole meeting to find a five-minute item. Current minutes had a timestamp of when public hearings open and close. **SCOTT** said she was interested in the suggestion from **ELY** to codify having audio available for the public. **SCHNABEL** referred to communication from Deborah Vogt about available technology for more accessible audio files. **SCOTT** said more information might be presented at the next meeting.

**D. Ordinance 14-02-368 - First Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Chapter 10.34 to authorize the use of ATVs on streets and highways within the borough and allowing use of snow machines on highway shoulders within the borough.**

Mayor **SCOTT** opened the public hearing at 7:17pm.

**ACKERMAN** stated when he was a child, he drove on dirt roads. He was in favor of increased opportunities for youth transportation and recreation with motorized vehicles. He used his four-wheeler for launching his boat at Letnikof Cove and for hauling water and fish; this was much more economical. A four-wheeler could do the job of a \$50,000 truck. **ACKERMAN** also suggested including golf carts in the ordinance.

**SHOOK** said most people knew his position on ATVs. He supported their use on borough roads, with safety restrictions. The ordinance would improve mobility, create jobs and provide a certain amount of recreational value.

**LENDE** was not opposed to the ordinance. ATVs could add to the character of the town and might align with the comprehensive plan for a more vibrant downtown area. She suggested a slow lane for ATVs, snowmachines, skateboards, golf carts, skiers, etc. The roads could be safer and accessible to more user groups. ATVs have the potential for saving money and time.

**CULBECK** asked if a helmet requirement had been considered, and was answered yes.

**ELY** included written comments on the ordinance. He felt it would be difficult for the police department to enforce the ordinance and keep teenagers within the speed limit. There would be accidents and, possibly, fatalities.

**ALCOCK** said Wasilla had a 10mph speed limit for ATVs. There were accidents, but look at the percentages. If kids break the rules, it is up to the parents to watch them. ATVs are a primary mode of transportation in much of Alaska and are fuel efficient.

Mayor **SCOTT** closed the public hearing at 7:27pm.

**Motion:** **BERRY** moved to "advance Ordinance 14-02-368 to a second public hearing on 3/11/14," and it was amended to remove 10.34.030 (Private Property Permission) from the ordinance. The motion, as amended, carried unanimously.

In discussion, **LAPHAM** clarified the age requirement was 16 and a license was required. **BERRY** referred to sections 10.34.030 and 10.34.040, with private property permission and damages, and said those already were outlined by civil and criminal regulations. **LAPP** said those items were in the ordinance when he took it off the shelf. **CAMPBELL** requested to remove 10.34.030 from the ordinance. He understood the intent was to keep people from ripping across yards and tearing up shrubs. The police could confirm there already were laws on the books. There could be abuse to target people who were not carrying written permission. **SCHNABEL** asked about removing 10.34.040. **CAMPBELL** responded that he wanted to leave that in the ordinance to emphasize penalties. The amendment to remove 10.34.030 carried unanimously. **CAMPBELL** asked about requiring operators to be at least 16 years old; what about permits for younger drivers who were with a licensed adult? **BERRY** emphasized he wanted to stick with age 16 as the requirement.

**E. Ordinance 14-02-369 - First Hearing**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.30.050 appeals to the commission to conform to the requirements of filing an appeal.**

**SCOTT** opened and closed the public hearing at 7:35pm; there were no public comments.

**Motion:** LAPHAM moved to "advance Ordinance 14-02-369 to a second public hearing on 3/11/14," and the motion carried unanimously.

There was no discussion.

## 8. STAFF/FACILITY REPORTS

### A. Interim Borough Manager – 3/11/14 Report

COZZI stated that she would take questions. SCOTT asked about the special ski event proposal. COZZI said her response would be ready by the next evening. SCOTT said the assembly then would have to confirm or modify the manager's decision by resolution. She suggested assigning this to a committee prior to the 3/11/14 assembly meeting. SCHNABEL responded she was willing to have the commerce committee address the topic. CAMPBELL clarified that a resolution was required. WATERMAN questioned the live broadcast or streaming of assembly meetings. Assembly members previously discussed improving the audio system, but she had never heard any assembly direction calling for a live broadcast or live streaming. COZZI agreed. However, wanted to pass the quote on to the assembly and said SCOTT was interested in the topic. COZZI was most interested in improving the audio in the assembly chambers, especially since they were talking about indexing and making the audio more accessible. Live streaming might not improve the public process, unless there was an option for interaction. Video could be made available on the borough website for a limited time. BERRY clarified he requested information from Haines Cable. He saw a meeting on television and could not hear the audio. SCOTT stated the assembly's joint meeting with the school board would have the opportunity to go live, as the district could broadcast proceedings on the Internet. KURZ said he would not be able to record meetings forever. He had invested time and money into the process. Where he previously resided, live broadcasts encouraged the public process. If people saw something controversial, they would come to the meeting. When he stopped recording meetings in the borough, Haines Cable received comments from people who missed watching them. KURZ also felt that recording meetings helped improve behavior. SCOTT said she was particularly concerned about residents up in the valley, and their access. LAPHAM referred to the Mount Riley trail and asked what a floating easement was. CULBECK responded that he was unsure of the exact definition, but it would allow the parties to agree to slight movements of the easement in the future. SCHNABEL referred to the request for feedback on the presentation of the budget. She would like the assembly to agree on accessing the budget electronically. Updates could be downloaded on their iPads. CAMPBELL requested a paper budget, but he liked the idea of updating the document electronically while moving through the budget process. LAPHAM said she printed a hard copy on her own printer. An electronic version was more economical for the borough. SCOTT stated there would be some paper budgets issued. STUART clarified nine or 10 were printed last year. SCOTT asked about tracking changes to the budget. COZZI responded she would talk with STUART about work on tracking changes. STUART said electronic budgets were faster to produce, but if paper ones led to better scrutiny of the budget, the borough would be happy to issue them.

\*B. Chilkat Center for the Arts – Facility Report of January 2014

\*C. Fire Department Report – Facility Report of January 2014

## 9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

### A. Planning Commission –

#### \*1. Minutes of 1/9/14 Meeting

#### 2. Record of Decision Re: Possible Identification of a Motorized Park within Townsite Service Area

In discussion of the Planning Commission report, SCHNABEL, as liaison, said she believed the commission was not responsive to the request from the assembly. The assembly could either deliberate on the decision that a motorized park within the

townsite service area was not a good idea, or it could override the commission. **SCOTT** asked if the assembly wanted to send this topic back. **BERRY** said he was under the impression the assembly asked the commission to identify areas, and the commission did not address the issue. **SCHNABEL** clarified that the commission did not like the proposal. **BERRY** stated the assembly asked if there were any potential areas. **CAMPBELL** said commission members did not have enough experience with motorized use to make decisions. Sending the topic back to the commission might not be productive, but he was willing to support that action. **SCHNABEL** agreed with sending it back; this topic was a planning issue.

**Motion:** **SCHNABEL** moved "that the request to identify areas that might be conducive for a motorized park within the townsite service area be referred to the planning commission for its response, within four months," and the motion carried unanimously.

*A six-minute recess was taken.*

**\*B. Parks and Recreation Advisory Committee – Report of 2/18/14**

**C. Assembly Standing Committee Reports – None**

**10. UNFINISHED BUSINESS**

**A. Ordinance 13-10-352 – Postponed on 2/11/14**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 13 to revise and clarify water and sewer service procedures.**

**Motion #1:** **BERRY** moved to "substitute ordinance 13-10-352 in its entirety with the draft ordinance recommended by the CFO," and the motion carried 5-1 with **SCHNABEL** opposed.

In discussion, **STUART** said the proposed substitute ordinance removed the language that would transition residential water and sewer services to metered services. Along with the memo, she attached a proposal from FCS Group for a rate study that would show the costs of switching from flat rate residential to a metered service.

**Motion #2:** **BERRY** moved to "advance Ordinance 13-10-352, as substituted, to a second public hearing on 3/11/14," and the motion carried unanimously.

In discussion, **CAMPBELL** asked why they were considering a rate study. **SCOTT** responded that the question was raised at the Government Affairs and Services Committee. **CAMPBELL** said the borough did not need to bring in consultants; staff could do some of this work in-house. He would like staff to present more information. **SCHNABEL** clarified that staff had provided an analysis of water-sewer system rates that showed the borough was not charging adequately for services. The data might be several years old. The borough had increased water and sewer rates based on an analysis of system costs. **SCOTT** clarified the last rate study was in 2008. **SCHNABEL** said she was intrigued that there seemed to be so much controversy over whether metering water was a cost-effective way of managing the system for customers. The proposal to have a systematic look at metering, and an analysis by people with experience, would be valuable. **BERRY** stated that in the 1970s, there was city-wide metering, but the meters were of poor quality. He referred to a memo from the state that 1,000 accounts appeared to be the minimum needed to start metering. **STUART** said only one component of the FCS study referred to metering.

**B. Confirm Administrative Policy re. Heli Map Review Cycle**

**Motion:** **WATERMAN** moved to "confirm the manager's administrative policy regarding the Commercial Ski Tour Areas Map Cycle," and the motion carried 4-2 with **CAMPBELL** and **LAPP** opposed.

In discussion, **LAPP** said he was opposed to the policy. He thought the map should be opened up; the Bureau of Land Management (BLM) was stalling. **CAMPBELL** agreed with **LAPP** regarding the need for changes due to BLM delays. **LAPHAM** stated the

assembly dealt with this contentious issue year after year. She was going to stick with the three-year policy to avoid waffling. **SCOTT** asked if **CULBECK** had new information regarding the BLM Ring of Fire, and he did not. **SCHNABEL** thought the borough manager would make an assessment whether a request to open up the map was legitimate and would serve some purpose. She had never supported the idea that the map be closed. Adjustments must be made as events occur. However, the map should not have to be opened every time there is a request. **SCOTT** clarified that the assembly had the responsibility to initiate the opening of the map by resolution. **CAMPBELL** asked whether **SCHNABEL** thought the manager should have the option to open the map. **SCHNABEL** responded that when this process was initiated two years ago, that was the idea. **SCOTT** reminded the assembly members that they were approving a policy that previously was in the ordinance. This policy was not to be codified, due to a need for more flexibility.

## 11. NEW BUSINESS

### A. Resolutions

#### 1. Resolution 14-02-536

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a construction contract with Whiterock LLC for the Klehini Valley Fire Hall Septic System project for an amount not-to-exceed \$23,195.**

**Motion:** **BERRY** moved to "adopt Resolution 14-02-536," and it was amended to change the fifth "whereas" clause by inserting "and the Haines Borough hereby commits \$11,597 of Fund 50 deferred maintenance funds" after the word "project." The motion, as amended, carried unanimously.

In discussion, **SCHNABEL** said her amendment was aimed at consistency to clarify funding sources.

#### \*2. Resolution 14-02-537

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to apply to the State of Alaska, Department of Environmental Conservation (ADEC) for loans from the Alaska Clean Water Fund and Alaska Drinking Water Fund for the projects entitled West Fair Drive Sewer Main Replacement and Piedad Springs Water Source Upgrades.**

**Motion:** *The motion adopted by approval of the consent agenda: "adopt Resolution 14-02-537."*

#### 3. Resolution 14-02-538

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with APSCO, LLC in the amount of \$35,000 for the purchase and delivery of a sewer blower.**

**Motion:** **BERRY** moved to "adopt Resolution 14-02-538," and the motion carried unanimously.

In discussion, **SCHNABEL** said she was concerned about the reference to equipment being obsolete. **JIMENEZ** clarified and said this purchase would fix the problem. **CAMPBELL** asked if this was the first in a long line of requests for the wastewater treatment plant, and **JIMENEZ** said it was.

### B. Ordinances for Introduction

#### 1. ~~Ordinance 14-02-370~~ – Removed from the agenda

~~An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to remove Haines Senior Assisted Living Inc. Property from the list of community purpose exemptions because it has been determined to be a required exemption under HBC 3.70.030(A)(3).~~

### C. Other New Business

#### 1. Appeal of Planning Commission Decision - SEABA Conditional Use Permit

**Motion:** **CAMPBELL** moved to “rehear the appeal, and rehear the appeal in its entirety; there is enough evidence in various forms that part of the consideration of the denial was the fact that this was a residential neighborhood, and it is not a residential neighborhood, that is a general use zone area,” and the motion carried 5-1 with **WATERMAN** opposed.

In discussion, **SCOTT** referred to two motions made at the planning commission meeting. One denied the conditional use permit. The other motion was a recommendation. **SCOTT** said there was no substantial financial interest for **CAMPBELL** and **SCHNABEL**, who had business relationships with Big Salmon Ventures/Southeast Alaska Backcountry Adventures (SEABA). Both members declared their impartiality in working on this issue. **CAMPBELL** clarified he also was a partner in a business that could be considered a competitor to SEABA. **SUNDBERG** stated Big Salmon Ventures believed the planning commission erred in its ruling on the conditional use permit. It would be irresponsible for the assembly not to hear this appeal. The proposal was more than just a heliport; it involved a complex up the highway, and community buy-in. There could be a community center, along with this heliport. **SUNDBERG** felt that the chair of the planning commission, Rob Goldberg, erred, because much of the community's welfare might depend on the bigger picture. Big Salmon Ventures brought forward decibel testing and other relevant information. He believed the planning commission decided to rule against them in a biased manner. He would like another body, especially a quasi-judicial body, to hear the appeal. Big Salmon Ventures wanted due diligence; that was why they were bringing the appeal forward. This topic had been a discussion for many years. **SUNDBERG** said he aimed to deliver a different kind of economy based on destination recreation and bringing eco-tourism to the community. The investors needed to move forward; knowing the business had access and ability to deliver the project was important. Otherwise, it was back to the drawing board. **WATERMAN** said she did not hear how the planning commission erred. **CAMPBELL** responded the error was the heliport was in a general use zone, not residential. **WATERMAN** disagreed. **SCHNABEL** stated she attended the hearing as liaison. The appeal did speak to the concerns stated by some members of the commission. Noise levels reported were not recorded scientifically, by a credible operator. The main issue seemed to be noise. **SCHNABEL** asked whether the noise issue was subjective, or something that could be measured to determine the impact on quality of life. There were federal government thresholds for noise. The manager's recommendation was for a trial period, and that was turned down. Immediately following the deliberation and refusal, the commission went forward with a recommendation that was not dissimilar to what the manager recommended. **SCHNABEL** wondered how the recommendation could be managed. **SCOTT** responded if the assembly agreed with the commission's recommendation in the first motion, members were free to examine the second motion. **WATERMAN** clarified that issuing a conditional use permit was the job of the planning commission. She did not find the commission's recommendation acceptable. **BERRY** said he was concerned; if he was an investor in this project, there were too many strings attached for him to be confident. **LAPHAM** said this was in the general use area. She found the restrictions to be unacceptable. **SUNDBERG** had done everything code required him to do. **SCOTT** reminded the assembly there were eight criteria for a conditional use permit. The chair of the planning commission did not think a one-year trial would work. **SCOTT** advised the assembly members to avoid ex parte communication.

## **2. Development of a Site for Marine Services - Request from Port and Harbor Advisory Committee**

**Motion:** **LAPP** moved to “authorize the manager to include the development of a boat haul-out and storage area in the FY15 budget,” and the motion carried 5-1 with **CAMPBELL** opposed.

In discussion, **SCOTT** said this proposal would not include a boat trailer, because a boat trailer had been secured by a private individual. **WATERMAN** stated the proposal was a great opportunity to fill a need. She previously thought this

project would cost hundreds of thousands of dollars. This proposal was an excellent way to see if the need truly existed in Haines; it was a smart investment and portable. **CAMPBELL** responded it would be a great investment for private industry. He was concerned about requirements for handling hazardous materials. The borough should focus on building the harbor. **SCOTT** said she thought the proposal would be a popular service to provide. She had been told it was very necessary. She asked **BENNER** how the service would be managed. **BENNER** said this was a system used often in the military. He referred to similar services in Juneau, Kodiak and Wrangell. Lead paint could be an issue, but when power washing a boat, the paint was not regulated. Changing filters was not HAZMAT regulated, either. It was a self-contained unit. The reason **BENNER** recommended it was because it would be stamped as meeting regulations, and it would re-use water. The system was easily regulated, and could be placed on gravel so boats could be pulled onto the heavy-duty, rubberized surface. **SCOTT** reminded assembly members that if they approved the committee's request, they could visit it again throughout the budget process. **CAMPBELL** referred to best management practices for vessel cleaning. **BENNER** noted a yard had not been approved, so those requirements were not yet necessary.

**\* 3. Ordinance 14-01-364**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.62.030 to allow an assembly approved exception to the contract or sale limit to a borough officer or employee.**

**Motion:** *The motion adopted by approval of the consent agenda: "advance Ordinance 14-01-364 to a first public hearing on 3/11/14."*

**4. Request for Design Confirmation from Port and Harbor Advisory Committee – Partially Penetrating Wave Barrier Design #14 for South Portage Cove**

**Motion:** **WATERMAN** moved to "confirm the Ports and Harbors recommendations for the South Portage Cove Boat Harbor Partially Penetrating Wave Barrier Design #14," and the motion carried 4-2 with **CAMPBELL** and **SCHNABEL** opposed.

**CAMPBELL** said he would like to see a cost of operations and income benefits analysis before moving forward. **SCOTT** said the design was not yet to the 35 percent level. Moving forward, the assembly could request costs of operation. She did not think this should keep the assembly from moving forward on the concept design. **SCHNABEL** said she requested for this to be removed from the consent agenda because she had not attended the meetings where this was discussed. She believed concept 3A seemed superior. **BENNER** responded the commercial fishermen felt that concept 14 was better. That concept separated commercial users from pleasure group users. The older generation also would prefer a shorter walk to their vessels. With the proposed drive-down float that might happen in the next few years, the fishermen would have easy access to the crane and work float. Most of the recreational boat launch users do not moor in the harbor. **SCHNABEL** said the parking seemed smarter in 3A, and more compact, not angling out into Portage Cove. **BENNER** clarified the concepts were preliminary. **SCHNABEL** agreed it was tough to go against what the fishermen wanted.

**5. Confirm 3<sup>rd</sup> Avenue Road Project Design**

**Motion:** **LAPP** moved to "confirm the design of the 3<sup>rd</sup> Ave Project," and the motion carried 5-1 with **SCHNABEL** opposed.

In discussion, **CAMPBELL** asked about the safety of the design, particularly with motorists backing their vehicles into the street. **JIMENEZ** responded the design included crosswalks to get to both sides of Third Avenue. **BERRY** said the Chilkoot Indian Association (CIA) submitted these plans to the federal government, which had no concerns about the design. **SCOTT** asked if a trail from the library to the

school could be made as a separate project to keep people off the street. **SCHNABEL** responded the borough participated heavily in the Safe Routes to School program. She suggested the topic for the joint meeting with the school board.

**Motion:** **CAMPBELL** moved to "add 15 minutes to the meeting," and the motion carried 4-2 with **BERRY** and **LAPP** opposed.

#### **6. Request from Public Safety Commission – Fund Mental Health Training**

**Motion:** **CAMPBELL** moved to "authorize \$4,000 for Mental Health First Aid Training from the Medical Services Area Fund," and the motion carried unanimously.

**Motion:** **WATERMAN** moved to "approve the MOU as written," and the motion carried unanimously.

In discussion, **LAPP** asked if this spending from the medical services fund had been discussed with the ambulance crew, and **SCOTT** responded no. **WATERMAN** asked if Aiding Women in Abuse and Rape Emergencies (AWARE) was contacted. **SCOTT** said AWARE recommended the course. Funding would be brought back to the assembly as a budget amendment. **SCHNABEL** questioned whether specific people had been identified to participate in the training. **SCOTT** answered Lynn Canal Counseling Services would send one staff member (Kelly Williamson) and the other individual would be a Haines community member. **SCHNABEL** was concerned about training non-borough employees. If an individual left town or was unable to provide services, there should be a rebate, so another person could participate in the training. **BERRY** said CIA had a similar reimbursement regulation, which he could forward to the assembly. **SCHNABEL** said she would like to support the \$4,000 in funding, and the issue of rebates could be a policy discussion. **WATERMAN** asked why this request was not going through the normal nonprofit funding process. **SCOTT** responded this request came through the Public Safety Commission. **FORD** stated the commission was asked to consider a problem in the community. The course would certify participants as trainers to assist with problems of domestic violence, sexual assault, suicide, etc. There was a sense of urgency, and this option provided high-quality training. **FORD** said this training was economical and would spread information throughout the community, quickly and effectively. **SCOTT** said the borough could not take on the administration of this, so Lynn Canal Counseling promised to take it on. **COZZI** noted in borough code, there was a requirement for an employee to reimburse training expenses if voluntarily leaving employment within six months.

#### **12. CORRESPONDENCE/REQUESTS**

- \*A. Request for Letter of Support for Grant Funding** – Support for Catholic Community Services request for funding for Senior Center Building upgrades.
- \*B. Request for Support of AAHPA Resolutions** – Harbormaster and AAHPA President, Phil Benner, is requesting assembly support letters for two Alaska Association of Harbor and Port Administrators (AAHPA) resolutions which speak to a harbor grant program and additional state legal protection for harbor employees.

#### **13. SET MEETING DATES**

- A. Committee-of-the-Whole** – Wednesday, 3/5/14, 4:30pm – Purpose: Election reform ordinance

#### **14. PUBLIC COMMENTS**

**FORD** stated former police chief Gary Lowe was adamantly opposed to allowing four-wheelers on borough roads. It was probably easier to say they were not allowed than to allow them under specific circumstances. He would like to speak with the new police chief, Bill Musser, about the ordinance. **FORD** did online research, with some websites in support and some in opposition. There was a lot of information, making it difficult to know which pieces to trust. The proposed ordinance would allow licensed and registered

drivers. Accidents were a problem when people broke laws that already existed. If the assembly passed the ordinance, the borough must find a way to make the public aware of the laws. **SCOTT** suggested a delay in the effective date and starting a public relations campaign.

**15. ANNOUNCEMENTS/ASSEMBLY COMMENTS**

**COZZI** thanked **FORD** for his work as interim police chief.

**LAPP** said he would set a finance committee meeting after looking at the calendar, with a topic of asset allocation.

**16. ADJOURNMENT – 9:49pm**

**Motion:** **CAMPBELL** moved to “adjourn the meeting,” and the motion carried unanimously.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Michelle Webb, Interim Borough Clerk



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-428

Assembly Meeting Date: 3/11/14

Business Item Description:	Attachments:
Subject: New Commercial Tour Permit - Haines Rafting Company	1. New Tour Permit Application from Haines Rafting Co. 2. Comments from Harbormaster, Police Chief, and Tourism Director 3. Public Hearing Notice
Originator: Agenda Bill prepared by Clerk's Office	
Originating Department: Administration	
Date Submitted: 3/3/2014	

**Full Title/Motion:**

Motion: Authorize the interim borough clerk to process the Haines Rafting Company application, and if everything is in order, issue a 2014 commercial tour permit.

**Administrative Recommendation:****Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ N/A	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
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**Summary Statement:**

Andy Hedden, of the Haines Rafting Company, has applied for a new 2014 Commercial Tour Permit to offer Chilkat Bald Eagle Preserve tours by raft and van, as well as van tours in the Haines Borough and to Haines Junction, Canada.

Title 5 of the Haines Borough code requires a public hearing before the assembly for all new tour activities

**Referral:**

Sent to:	Date:
Recommendation:	Refer to: Meeting Date:

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 3/11/14
Meeting Date(s): 3/11/14	Tabled to Date:



**HAINES BOROUGH**  
P.O. BOX 1209, HAINES, AK 99827

**2014 COMMERCIAL PERMIT APPLICATION**

[ Check the type(s) of permit(s) you are applying for]

- Commercial Tour (CT)    Commercial Passenger Vehicle (CPV)  
 Port Chilkoot Dock Parking (PCDK)    Commercial Skiing (CSK)

Applicant's Name (company principal, corporate officer, or managing partner): <i>ANDY HEDDEN</i>		Company Name: <i>Haines Rafting Company</i>	
Applicant's Mailing Address: <i>Box 1455 Haines</i>	Applicant Street Address: <i>#11A Homestead Rd.</i>	Company Mailing Address: <i>Same</i>	Company Street Address: <i>Same</i>
Emergency Contact Phone: <i>907 314 0340</i>	Applicant's Home Phone: <i>907 766 3209</i>	Company Phone: <i>907 314 0340</i>	FAX Number:
Email Address: <i>a.hedden@mc.com</i>		Website: <i>www.hainesrafting.com</i>	
Brief description of the nature of the business represented: <i>Chilkoot Bald Eagle Pres. run tours by raft + van / van tours to Haines Int.</i>			
Location of Commercial Passenger Vehicle Storage if Different than Company Street Address:			
Will you be providing a tour this year that was not previously permitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		You must explain <u>ALL</u> tour(s) old and new on the reverse side of this form to comply with HBC 5.18.030. New commercial tours and expansion of existing tours require a public hearing before the borough assembly prior to approval of the permit.	

**Important! PLEASE READ BEFORE SIGNING**

I am authorized to apply on behalf of this company, and I agree to abide by the Haines Borough Code regulations appropriate to the permit(s) I am applying for. I also hereby agree to indemnify, defend and hold the Haines Borough harmless from any and all claims for injury or damage to persons or property suffered in connection with my activities unless such injury or damage is caused by the gross negligence of the Haines Borough.

*Andy Hedden*  
Applicant's Signature

*3-3-14*  
Date of Application

**Please include the following information and attachments with this form:  
as applicable to the requested permit(s)**

- Appropriate permit fee(s) per HBC 5.04.130
  - \$25 Commercial Tour or Skiing Permit (not requiring a public hearing)
  - \$125 Commercial Tour or Skiing Permit (requiring a public hearing)
  - \$1,000 Commercial Tour or Skiing Permit (requiring a public hearing - permit has been previously denied)
  - \$25 Port Chilkoot Dock Parking Permit (per company)
  - \$50 each Commercial Passenger Vehicle
- Complete contact information for all company principals and the operations manager(s).
- All location(s) where the tour(s) will be offered for sale.
- Explanation of tours, routes, scheduled stops, and hours of operation. [See back side of this form]
- Map of all routes or areas used.
- Proof of Worker's Compensation Insurance, if applicable.
- Copy of current Alaska State Business License.
- Copy of current, signed Operator's Code of Conduct.

- Broker's certificate of \$500,000 of commercial general liability insurance. All certificates must **name the Haines Borough as additional insured.**
- Explanation of any felony convictions of company principals within past five years or a statement of no felonies.
- Haines Borough Certification Form [proof of HB Business License and taxes paid].
- Copies of federal, state, and local land-use permits, if applicable.
- Commercial Skiing Permit (additional requirements)**
  - Number of skier days requested.
  - Current safety & operating plan per HBC 5.18.080(F).
- Commercial Vehicles (additional requirements)**
  - Fully completed Inventory of Vehicles to be permitted.
  - Current Alaska motor vehicle registration for each vehicle.
  - Current Commercial Vehicle Inspection Form for each vehicle.
  - Broker's certificate of \$500,000 of auto insurance & listing of insured vehicles. All certificates must **name the Haines Borough as additional insured.**

**Explanation of tour(s): (Important: This section is not optional. This information must be provided in detail even if the tour is not new per HBC 5.18.030.)**

Include customer capacity, location of all phases of tour(s), a detailed description of the tour(s) to be provided, and a map showing routes to be taken. **NOTE:** You may attach a separate document instead of completing this section, but please reference the attachment in this space.

**Map of Tours Attached**

**Customer Capacity:** \_\_\_\_\_

**Location of Tour(s):** \_\_\_\_\_

**Description of Tour(s):** \_\_\_\_\_

*Attached*

=====*Office Use Only Below This Line*=====

Fees Paid \$ 125<sup>00</sup> Date Paid 3/3/14 Receipt No. 19659 Ck# 1686 Cash \_\_\_\_\_

Reason new commercial tour permit application fee

Fees Paid \$ \_\_\_\_\_ Date Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_ Ck# \_\_\_\_\_ Cash \_\_\_\_\_

Reason \_\_\_\_\_

Fees Paid \$ \_\_\_\_\_ Date Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_ Ck# \_\_\_\_\_ Cash \_\_\_\_\_

Reason \_\_\_\_\_

Fees Paid \$ \_\_\_\_\_ Date Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_ Ck# \_\_\_\_\_ Cash \_\_\_\_\_

Reason \_\_\_\_\_

All required attachments and fees received  ---> (Must be checked before hearing can be conducted or permit issued.)

Date of Public Hearing, if any 3/11/14

Permit(s) Approved \_\_\_\_\_ Denied \_\_\_\_\_ Effective Date \_\_\_\_\_ All 2014 permits expire 3/1/15 except CSK permits expire 12/31/14

Reason for Denial/Comments/Conditions: \_\_\_\_\_

\_\_\_\_\_  
Borough Clerk (or Designee)

\_\_\_\_\_  
Title of Designee

**PERMITS ISSUED:** #CT-14-\_\_\_\_ #CPV-14-\_\_\_\_ #PCDK-14-\_\_\_\_ #CSK-14-\_\_\_\_

**Contact Information for principals and managers:**

Andy Hedden,  
9-Mile Haines Highway,  
Homestead Subdivision, 11A  
PO BOX 1455  
Haines, AK 99827

[ahedden@me.com](mailto:ahedden@me.com)

Home 907 766 3209

Cell 907 314 0340

**Locations where tours will be offered for sale:**

Haines Rafting Company will offer tours for sale online and at local businesses that present our tours to their customers. Examples are RV parks, travel agents, motels, lodges, campgrounds, etc.

**Explanation of Tours, Routes, Scheduled Stops and Hours of Operation:**

Haines Rafting Company will offer guided van and rafting tours in the Haines Borough and around the Chilkat Bald Eagle Preserve along the Haines Highway. Our clients will be picked up at the airport, ferry docks or their lodging locations and transported to the Chilkat, Klehini or Tsirku Rivers before returning approximately 4 to 6 hours later. Specialty van tours may go as far as the US border and beyond.

River routes include the upper and lower Tsirku River, the Chilkat River below the Wells Bridge and the Klehini River from the US border to the Chilkat.

Tours are in 15 passenger vans and inflatable rafts that hold up to 10 passengers and one guide (*8 passengers per raft is preferred but may go to 10 if children or small adults are present*). Tours may be combined with other licensed tour operators for flightseeing, wildlife photography, or cultural tours.

Tour capacity is up to 16 passengers per raft trip (*using 2 vans & 2 rafts with 8 passengers per raft*) and 14 passengers per van tour (*van only, without rafting component*). Tours operate daily between 7:00 AM and 10:00 PM from May through September. Hours of operation will vary from day to day. Tours operate on demand and are not always scheduled in advance. Number of tours per day will range from 0 to 4. Operations will be limited to 2 vans and up to 3 rafts.

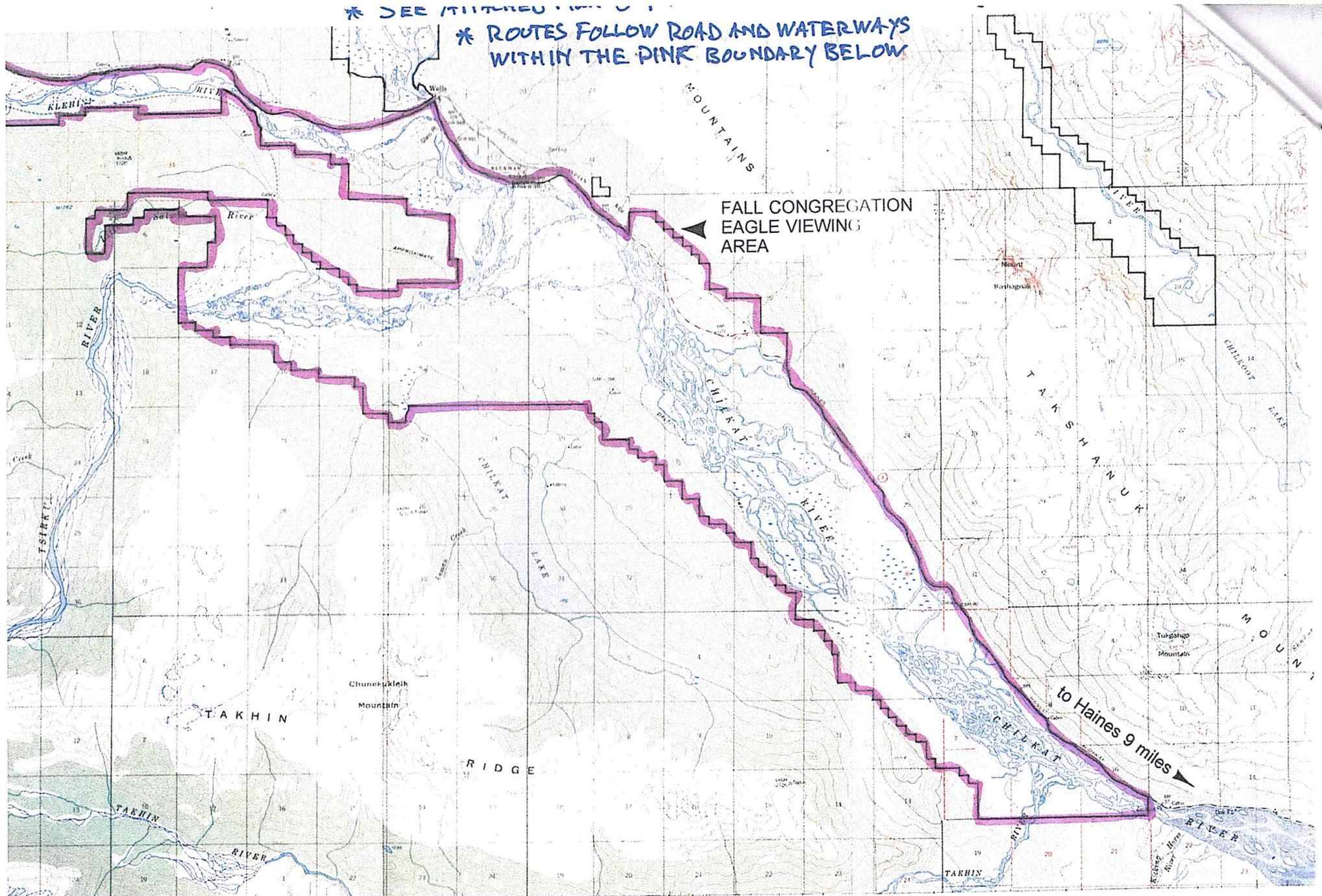
Haines Rafting Company will offer door-to-door shuttle service and tours on demand. Because of our flexible schedule our van routes will vary and will not necessarily have scheduled stops. Van routes include Borough roads in and around Haines City limits, the Haines Highway to the US Border, Chilkoot State Park Campground and Chilkat State Park Campground. **Note regarding Chilkoot State Park:** Haines Rafting Company will not use Chilkoot Lake or its river corridor as a destination or tour route with the exception that we would like to pick-up and return passengers from and to Chilkoot State Park Campground and Lutak lodging as part of our tour shuttle.

\* SEE ATTACHED MAP C 1

\* ROUTES FOLLOW ROAD AND WATERWAYS WITHIN THE PINK BOUNDARY BELOW

FALL CONGREGATION EAGLE VIEWING AREA

to Haines 9 miles

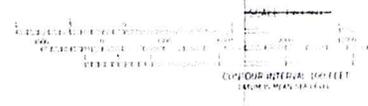


Published by the Geological Survey of Canada and Geodetic Survey of Canada using metric methods from aerial photographs dated 1954. Map not field checked in its present form, 1927 North American datum as Alaska coordinate system. Zone 1 reverse Merator grid ticks.

As represented and shown by the State of Alaska, Division of Lands



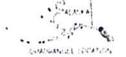
APPROXIMATE MEAN DECLINATION, 1954



CONTOUR INTERVAL 100 FEET



ROAD CLASSIFICATION



Geographical Location

SKAGWAY (B-3) ALASKA

This map should not be used for survey information or land status and ownership. The State of Alaska assumes no responsibility for any graphical errors or omissions.

## Julie Cozzi

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**From:** Phil Benner  
**Sent:** Monday, March 03, 2014 3:51 PM  
**To:** Julie Cozzi; Tanya Carlson; Bill Musser  
**Cc:** Simon Ford; Michelle Webb  
**Subject:** RE: Application for New Tour Permit....

Good Afternoon,

I have no problem with this tour.

Phil

---

**From:** Julie Cozzi  
**Sent:** Monday, March 03, 2014 3:40 PM  
**To:** Tanya Carlson; Phil Benner; Bill Musser  
**Cc:** Simon Ford; Michelle Webb  
**Subject:** Application for New Tour Permit....

The Clerk's Office received the attached application from Andy Hedden for a new commercial tour permit. As you know, Title 5 requires review and comment by the tourism director, harbormaster, and chief of police. Please provide me with your comments ASAP. Email is fine. The required public hearing is next Tuesday.

Chief: I am copying Sergeant Ford so he can explain this to you and assist you with the review since you are new in the saddle.

*Julie Cozzi, MMC*

Interim Borough Manager  
Haines Borough  
P.O. Box 1209  
Haines, AK 99827  
907-766-2231, ext.31  
907-766-2716 (fax)  
[www.hainesalaska.gov](http://www.hainesalaska.gov)

"The most wasted day of all is that in which we have not laughed."

## Julie Cozzi

---

**From:** Bill Musser  
**Sent:** Tuesday, March 04, 2014 4:52 PM  
**To:** Julie Cozzi; Tanya Carlson; Phil Benner  
**Cc:** Simon Ford; Michelle Webb  
**Subject:** RE: Application for New Tour Permit....

Julie,  
Simon advised he did not have a problem with the application, therefore, I do not have any concerns regarding the application.

Bill Musser

---

**From:** Julie Cozzi  
**Sent:** Monday, March 03, 2014 3:40 PM  
**To:** Tanya Carlson; Phil Benner; Bill Musser  
**Cc:** Simon Ford; Michelle Webb  
**Subject:** Application for New Tour Permit....

The Clerk's Office received the attached application from Andy Hedden for a new commercial tour permit. As you know, Title 5 requires review and comment by the tourism director, harbormaster, and chief of police. Please provide me with your comments ASAP. Email is fine. The required public hearing is next Tuesday.

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Haines, AK 99827  
907-766-2231, ext.31  
907-766-2716 (fax)  
[www.hainesalaska.gov](http://www.hainesalaska.gov)

"The most wasted day of all is that in which we have not laughed."

## Michelle Webb

---

**From:** Tanya Carlson  
**Sent:** Thursday, March 06, 2014 1:54 PM  
**To:** Julie Cozzi; Phil Benner; Bill Musser  
**Cc:** Simon Ford; Michelle Webb  
**Subject:** RE: Application for New Tour Permit....

After reviewing the documents attached, I am in full support of this new Tour Permit. The individual has worked within Haines tourism for a number of years around what he is proposing. I believe his product will add greatly to Haines tourism industry.

Cheers,

*Tanya*

Director of Tourism  
Haines Borough  
PO Box 530  
Haines, AK 99827  
907-766-2234  
[www.haines.ak.us](http://www.haines.ak.us)  
[tcarlson@haines.ak.us](mailto:tcarlson@haines.ak.us)



---

**From:** Julie Cozzi  
**Sent:** Monday, March 03, 2014 3:40 PM  
**To:** Tanya Carlson; Phil Benner; Bill Musser  
**Cc:** Simon Ford; Michelle Webb  
**Subject:** Application for New Tour Permit....

The Clerk's Office received the attached application from Andy Hedden for a new commercial tour permit. As you know, Title 5 requires review and comment by the tourism director, harbor master, and chief of police. Please provide me with your comments ASAP. Email is fine. The required public hearing is next Tuesday.

Chief: I am copying Sergeant Ford so he can explain this to you and assist you with the review since you are new in the saddle.

*Julie Cozzi, MMC*  
Interim Borough Manager

Haines Borough  
P.O. Box 1209  
Haines, AK 99827  
907-766-2231, ext.31  
907-766-2716 (fax)  
[www.hainesalaska.gov](http://www.hainesalaska.gov)

"The most wasted day of all is that in which we have not laughed."

HAINES BOROUGH  
HAINES, ALASKA  
**PUBLIC NOTICE**

AT **6:30 p.m., March 11, 2014**, IN THE ASSEMBLY CHAMBERS OF THE PUBLIC SAFETY BUILDING, A PUBLIC HEARING WILL BE HELD ON THE FOLLOWING:

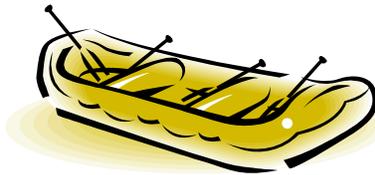
**APPLICATION FOR NEW COMMERCIAL TOURS**

**Haines Rafting Company**

Andy Hedden, of the Haines Rafting Company, has applied for a new 2014 Commercial Tour Permit to offer Chilkat Bald Eagle Preserve tours by raft and van, as well as van tours in the Haines Borough and to Haines Junction, Canada. Title 5 of the Haines Borough code requires a public hearing before the assembly for all new tour activities. More information is attached to this notice (descriptions & maps) and is also available in the borough clerk's office and on the website: <http://www.hainesalaska.gov/boroughassembly> (click on "Public Hearings").

**Rainbow Glacier Adventures**

Joe Ordonez, of Rainbow Glacier Adventures LLC, has applied for a new expansion of tour operations to include rafting and canoeing in the Chilkat River watershed and Mosquito Lake. Title 5 of the Haines Borough code requires a public hearing before the assembly for all new tour activities. More information is attached to this notice (descriptions & maps) and is also available in the borough clerk's office and on the website: <http://www.hainesalaska.gov/boroughassembly> (click on "Public Hearings").



Public comments may be made at the public hearing, sent to P.O. Box 1209, Haines, AK 99827, or emailed to [mwebb@haines.ak.us](mailto:mwebb@haines.ak.us).



Agenda Bill No.: 14-429  
 Assembly Meeting Date: 3/11/14

Business Item Description:		Attachments:
Subject: New Commercial Tour Permit - Rainbow Glacier Adv.	Originator: Agenda Bill prepared by Clerk's Office	1. New Tour Permit Application from Rainbow Glacier Adventures 2. Comments from Harbormaster, Police Chief, and Tourism Director 3. Public Hearing Notice
Originating Department: Administration	Date Submitted: 12/23/2014 (Applicant asked for delay)	

**Full Title/Motion:**  
 Motion: Authorize the interim borough clerk to process the Rainbow Glacier Adventures application, and if everything is in order, issue a 2014 commercial tour permit.

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required
\$ N/A	\$	\$

**Comprehensive Plan Consistency Review:**

Comp Plan Policy Nos.: N/A	Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No
-------------------------------	--

**Summary Statement:**  
 Joe Ordonez, of Rainbow Glacier Adventures LLC, has applied for a new expansion of tour operations to include rafting and canoeing in the Chilkat River watershed and Mosquito Lake.  
 Title 5 of the Haines Borough code requires a public hearing before the assembly for all new tour activities

**Referral:**

Sent to:	Date:
Recommendation:	Meeting Date:
Refer to:	

**Assembly Action:**

Workshop Date(s):	Public Hearing Date(s): 3/11/14
Meeting Date(s): 3/11/14	Tabled to Date:



**HAINES BOROUGH**  
P.O. BOX 1209, HAINES, AK 99827

## 2014 COMMERCIAL PERMIT APPLICATION

[ Check the type(s) of permit(s) you are applying for]

- Commercial Tour (CT)**
 **Commercial Passenger Vehicle (CPV)**  
 **Port Chilkoot Dock Parking (PCDK)**
 **Commercial Skiing (CSK)**

Applicant's Name (company principal, corporate officer, or managing partner): <b>JOSEPH ORDONEZ</b>		Company Name: <b>RAINBOW GLACIER ADVENTURES LLC</b>	
Applicant's Mailing Address: <b>PO BOX 1103</b>	Applicant Street Address: <b>7 MILE MOUNTAIN BAY AK.</b>	Company Mailing Address: <b>PO BOX 1103</b>	Company Street Address: <b>PORTAGE STREET HISTORIC BLD. #59</b>
Emergency Contact Phone: <b>303 3576</b>	Applicant's Home Phone: <b>907 766 3997</b>	Company Phone: <b>907 766 3576</b>	FAX Number: <b>766 3580</b>
Email Address: <b>joeg@fourhaines.com</b>		Website: <b>www.fourhaines.com</b>	
Brief description of the nature of the business represented: <b>TOURS</b>			
Location of Commercial Passenger Vehicle Storage if Different than Company Street Address:			
Will you be providing a tour this year that was not previously permitted? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		You must explain ALL tour(s) old and new on the reverse side of this form to comply with HBC 5.18.030. New commercial tours and expansion of existing tours require a public hearing before the borough assembly prior to approval of the permit.	

### Important PLEASE READ BEFORE SIGNING

I am authorized to apply on behalf of this company, and I agree to abide by the Haines Borough Code regulations appropriate to the permit(s) I am applying for. I also hereby agree to indemnify, defend and hold the Haines Borough harmless from any and all claims for injury or damage to persons or property suffered in connection with my activities unless such injury or damage is caused by the gross negligence of the Haines Borough.

Applicant's Signature

Date of Application 12/23/13

### Please include the following information and attachments with this form: as applicable to the requested permit(s)

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Appropriate permit fee(s) per HBC 5.04.130           <ul style="list-style-type: none"> <li>___ \$25 Commercial Tour or Skiing Permit (not requiring a public hearing)</li> <li><input checked="" type="checkbox"/> \$125 Commercial Tour or Skiing Permit (requiring a public hearing)</li> <li>___ \$1,000 Commercial Tour or Skiing Permit (requiring a public hearing - permit has been previously denied)</li> <li>___ \$25 Port Chilkoot Dock Parking Permit (per company)</li> <li>___ \$50 each Commercial Passenger Vehicle</li> </ul> </li> <li><input checked="" type="checkbox"/> Complete contact information for all company principals and the operations manager(s).</li> <li><input type="checkbox"/> All location(s) where the tour(s) will be offered for sale.</li> <li><input type="checkbox"/> Explanation of tours, routes, scheduled stops, and hours of operation. [See back side of this form]</li> <li><input checked="" type="checkbox"/> Map of all routes or areas used.</li> <li><input type="checkbox"/> Proof of Worker's Compensation Insurance, if applicable.</li> <li><input type="checkbox"/> Copy of current Alaska State Business License.</li> <li><input checked="" type="checkbox"/> Copy of current, signed Operator's Code of Conduct.</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Broker's certificate of \$500,000 of commercial general liability insurance. All certificates must <b>name the Haines Borough as additional insured.</b></li> <li><input checked="" type="checkbox"/> Explanation of any felony convictions of company principals within past five years or a statement of no felonies. <b>NO</b></li> <li><input type="checkbox"/> Haines Borough Certification Form [proof of HB Business License and taxes paid].</li> <li><input type="checkbox"/> Copies of federal, state, and local land-use permits, if applicable.</li> </ul> <p><b>Commercial Skiing Permit (additional requirements)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Number of skier days requested.</li> <li><input type="checkbox"/> Current safety &amp; operating plan per HBC 5.18.080(F).</li> </ul> <p><b>Commercial Vehicles (additional requirements)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Fully completed Inventory of Vehicles to be permitted.</li> <li><input type="checkbox"/> Current Alaska motor vehicle registration for each vehicle.</li> <li><input type="checkbox"/> Current Commercial Vehicle Inspection Form for each vehicle.</li> <li><input type="checkbox"/> Broker's certificate of \$500,000 of auto insurance &amp; listing of insured vehicles. All certificates must <b>name the Haines Borough as additional insured.</b></li> </ul> |
|--|---|

Form Continued on the Back--->

**Explanation of tour(s): (Important: This section is not optional. This information must be provided in detail even if the tour is not new per HBC 5.18.030.)**

Include customer capacity, location of all phases of tour(s), a detailed description of the tour(s) to be provided, and a map showing routes to be taken. **NOTE:** You may attach a separate document instead of completing this section, but please reference the attachment in this space.

**Map of Tours Attached**

**Customer Capacity:** see email

**Location of Tour(s):** see map & email

**Description of Tour(s):** see map & email

note: principals of RGA LLC are Joseph ORDÓÑEZ and YVONNE GRANDEZ

Please schedule hearing after Feb. 16<sup>th</sup>, 2014 - (2/25/13 Meeting)  
Check will be mailed.  
 Office Use Only Below This Line

Fees Paid \$ <u>125<sup>00</sup></u>	Date Paid <u>1/3/14</u>	Receipt No. <u>022127</u>	Ck# <u>7882</u>	Cash <u>-</u>
Reason <u>New Tour Application (public hearing)</u>				
Fees Paid \$ _____	Date Paid _____	Receipt No. _____	Ck# _____	Cash _____
Reason _____				
Fees Paid \$ _____	Date Paid _____	Receipt No. _____	Ck# _____	Cash _____
Reason _____				
Fees Paid \$ _____	Date Paid _____	Receipt No. _____	Ck# _____	Cash _____
Reason _____				

All required attachments and fees received  ---> (Must be checked before hearing can be conducted or permit issued.)

Date of Public Hearing, if any \_\_\_\_\_

Permit(s) Approved \_\_\_\_\_ Denied \_\_\_\_\_ Effective Date \_\_\_\_\_ All 2014 permits expire 3/1/15 except CSK permits expire 12/31/14

Reason for Denial/Comments/Conditions: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Borough Clerk (or Designee) \_\_\_\_\_ Title of Designee \_\_\_\_\_

**PERMITS ISSUED:** #CT-14-\_\_\_\_\_ #CPV-14-\_\_\_\_\_ #PCDK-14-\_\_\_\_\_ #CSK-14-\_\_\_\_\_

## **Rainbow Glacier Adventures LLC 2014 Tour Permit Addendum**

Rainbow Glacier Adventures LLC, hereafter called RGA, requests an expansion of tour offerings in Haines to include rafting and canoeing in the Chilkat River watershed. We humbly request that the Borough authorities review this application for tour expansion and move the process forward towards the required public hearings. We will return to Haines on February 16<sup>th</sup> and hope that the public hearing be scheduled for the February 25, 2014 Borough Assembly meeting.

### **Introductory Information:**

RGA has a long history of running high-quality educational tours in Haines for small groups. We are community members, and maintaining good relationships with the community-at-large is a high priority. When possible, we utilize local guides and always strive to be low-impact.

RGA founder Joe Ordonez began river raft guiding in the Chilkat Bald Eagle Preserve in 1987, and has over 25 years of experience river raft guiding throughout Alaska. RGA recently purchased a number of canoes and a river raft in anticipation of expanding tour offerings.

RGA's primary concern is passenger safety. We have all industry-standard safety equipment and training. These include training and certifying our guides as Swiftwater Rescue Technicians, and maintaining radio contact between support vehicle, our office and raft or canoe. We also carry safety rescue, repair, and hypothermia kits on board the rafts and canoes. Other priorities for RGA tours are ethical wildlife viewing and natural history education. We plan to run small groups and will make every effort to avoid other tour group. We have a company philosophy of courteous and respectful behavior.

We market mainly to the independent traveler, independent shopper and to small cruise ships. Our primary source of clients will be off the cruise ships docking in Skagway, arriving in Haines via Fast Ferry. This makes operating hours in Haines normally 8:45 am to 7:00 pm, with a typical tour lasting four hours in Haines.

We may offer extending length tours for those staying in Haines. With our recent purchase of Swan View rental cabins at Mosquito Lake, we would like to be permitted to take small numbers of guests out via raft or canoe for photography, fishing and wildlife viewing expeditions. These small group excursions may be out at sunrise or sunset, or even under the moonlight or Northern Lights.

We currently offer guided photography tours and driving tours in the Chilkat Bald Eagle Preserve as part of our tour portfolio. I have already spoken with Preston Kroes, Alaska State Parks, and he sees no problem with RGA securing the State Park permit for these additional activities.

**Tour description:**

Tours include a scenic drive up the Haines Highway, followed by a river trip on one of the river sections described below, or canoeing at Mosquito Lake as described below. There are no scheduled stops on the tours.

**Customer Capacity:**

Customer capacity would normally be limited to 14 passengers.

**Number of vehicles:**

RGA owns two 14 passenger buses, and four 15 passenger vans, two SUVs and a cargo vehicle. We may need to purchase an additional vehicle depending on demand.

**Where tours will be sold:**

Tours will be sold via internet and through our office located in Ft. Seward.

**Contact information:**

Joe Ordonez, CEO, Rainbow Glacier Adventures LLC  
PO Box 1103, Haines, AK 99827 (907) 766 3576  
Operations Manager, Robert Chadwell (907) 766 3576.

### **Scheduled stops and maps:**

Tours will begin and end with a driving portion along the Haines Highway from Haines to access the activity's starting location. Actual water route taken will depend on a number of factors including, but not limited to, safety, location of wildlife, and weather conditions.

I have supplied a series of numbered maps with a variety of river trip options for rafting and/or canoeing. I have numbered the various locations referenced below on the maps.

#### **Map #1 Chilkat River**

**Chilkat River** 21 mile Haines Highway  
To 14.2 Mile Haines Highway.

#### **Map #2 Tsirku River**

**Tsirku River** Chilkat Lake Put-in (2) or Devil's Elbow (1) to  
21 mile Haines Highway or 14.2 Mile Haines Highway..

#### **Map #3 Klehini River**

31 mile Haines Highway( 3) or Steel Bridge (4) to  
21 mile Haines Highway or 14.2 Mile Haines Highway.

#### **Map #4 Kellsall River**

Kellsall Landing (5) to  
21 mile Haines Highway or 14.2 Mile Haines Highway..

#### **Map #4 Mosquito Lake Canoeing**

Begin at (7) Mosquito Lake State Park or (6) Swan View Cabins, and stay on the lake with takeout at either Swan View Cabins or Mosquito Lake State Park landing. Or leave the lake via the exit slough and canoe down the Chilkat River to 21 or 14.2 mile Haines Highway.

## Michelle Webb

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**From:** Xi Cui  
**Sent:** Thursday, December 26, 2013 12:06 PM  
**To:** Michelle Webb  
**Subject:** FW: Map

---

**From:** Joe Ordonez [<mailto:joeorga@gmail.com>]  
**Sent:** Friday, December 20, 2013 4:59 PM  
**To:** Xi Cui  
**Subject:** Map

Hi Tracey,

Great talking to you today. I hope you are doing well. Here is some additional information from my permit application for you to look over. I really appreciate your assistance on this project.

### **Scheduled stops and map:**

These tours are in the process of development, so exact routes are not in place. Tours will begin and end with a driving portion along the Haines Highway to access the activity's starting location. Actual water route taken will depend on a number of factors including, but not limited to, safety, location of wildlife, and weather conditions.

### **Rafting or Canoeing: PI= Put-in and TO= Take-out**

1) **Chilkat River** PI 21 mile Haines Highway

TO 14.2 Mile Haines Highway.

2) **Klehini/ Chilkat** PI 31 mile or 26 mile Haines Highway (Steel Bridge)

TO 21 mile Haines Highway or 14.2 Mile Haines Highway.

3) **Tsirku/Chilkat** PI Chilkat Lake Put-in (Tsirku River) or Devil's Elbow

TO 21 mile Haines Highway or 14.2 Mile Haines Highway..

4) **Kelsall/Chilkat** PI Kelsall Landing

TO 21 mile Haines Highway or 14.2 Mile Haines Highway..

**Canoeing:**

**Option 1)** PI at Mosquito Lake State Park or Swan View cabins, staying on the lake with TO at either Swan View or Mosquiot Lake State Park landing.

**Option 2)** PI at Mosquito Lake State Park or Swan View cabins, leaving the lake via the exit slough and canoeing down the Chilkat River to 21 or 14.2 mile Haines Highway.

Thanks.

Joe

--

**Joe Ordonez**

Rainbow Glacier Adventures LLC

P.O. Box 1103

Haines, Alaska 99827

Phone: 907-766-3576

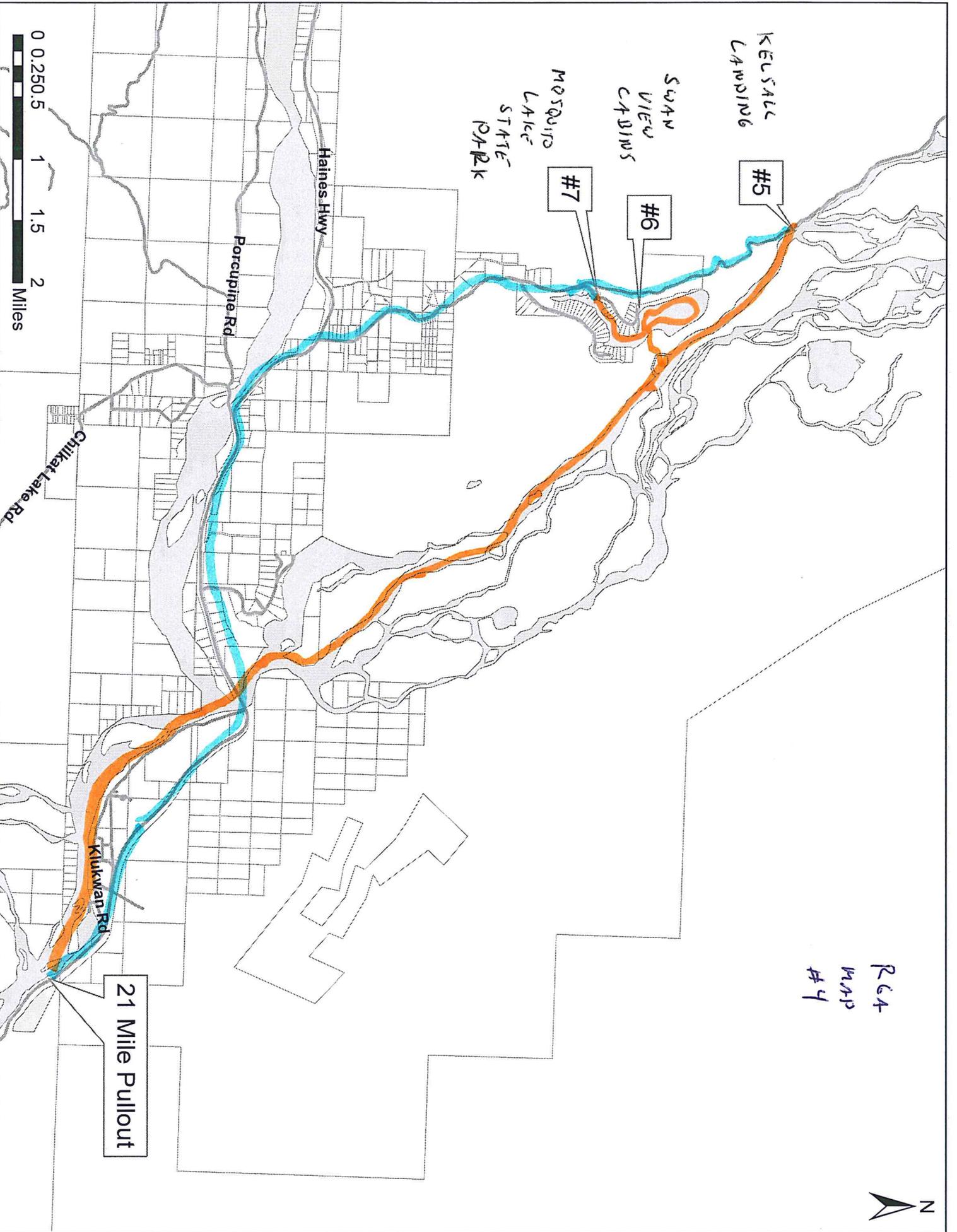
Fax: 907-766-3580

[joe@joeordonez.com](mailto:joe@joeordonez.com)

[www.tourhaines.com](http://www.tourhaines.com)

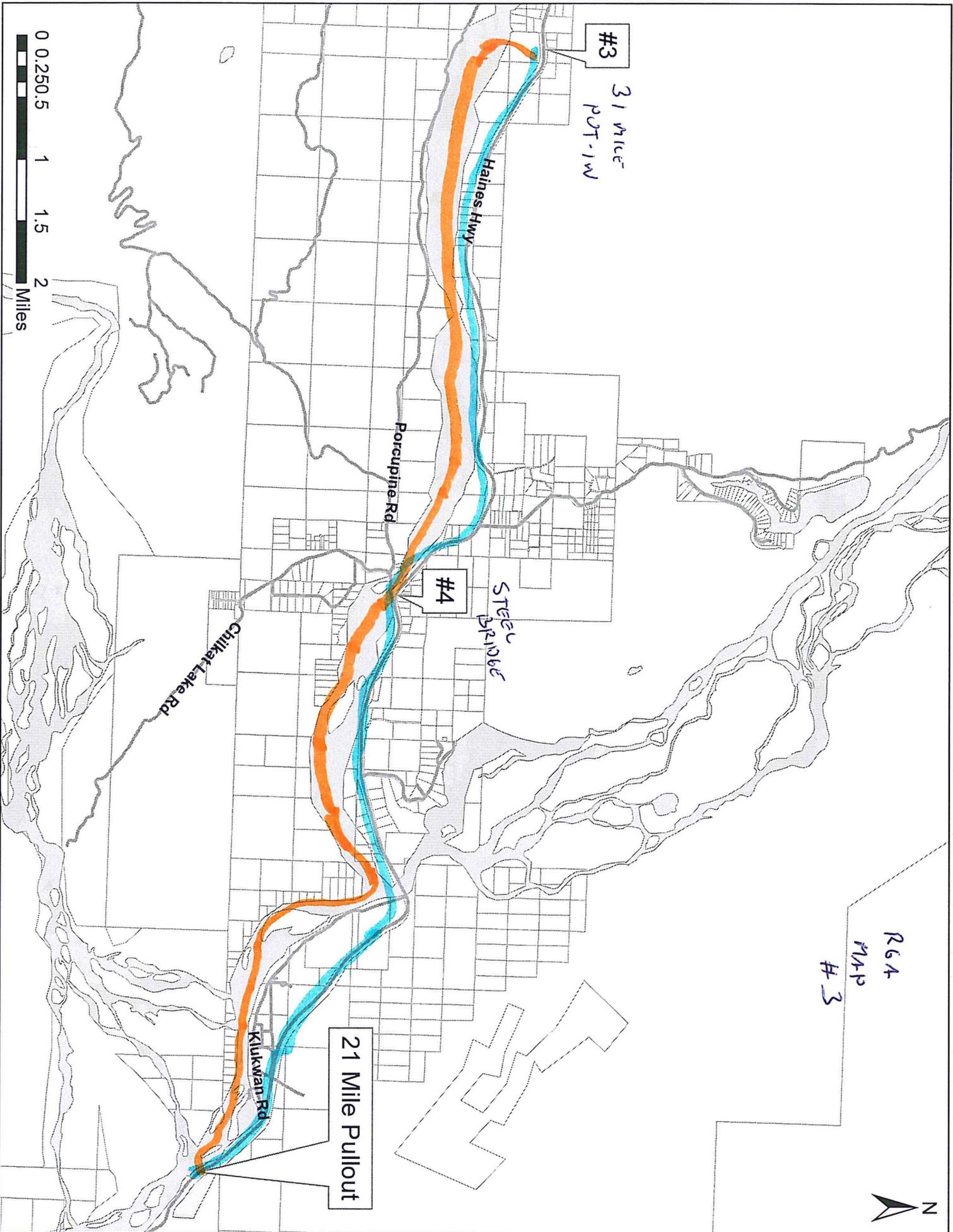


RCA  
MAP  
#4





R64  
MAP  
#3



#3  
31 miles  
PST-1W

Haines Hwy

Porcupine Rd

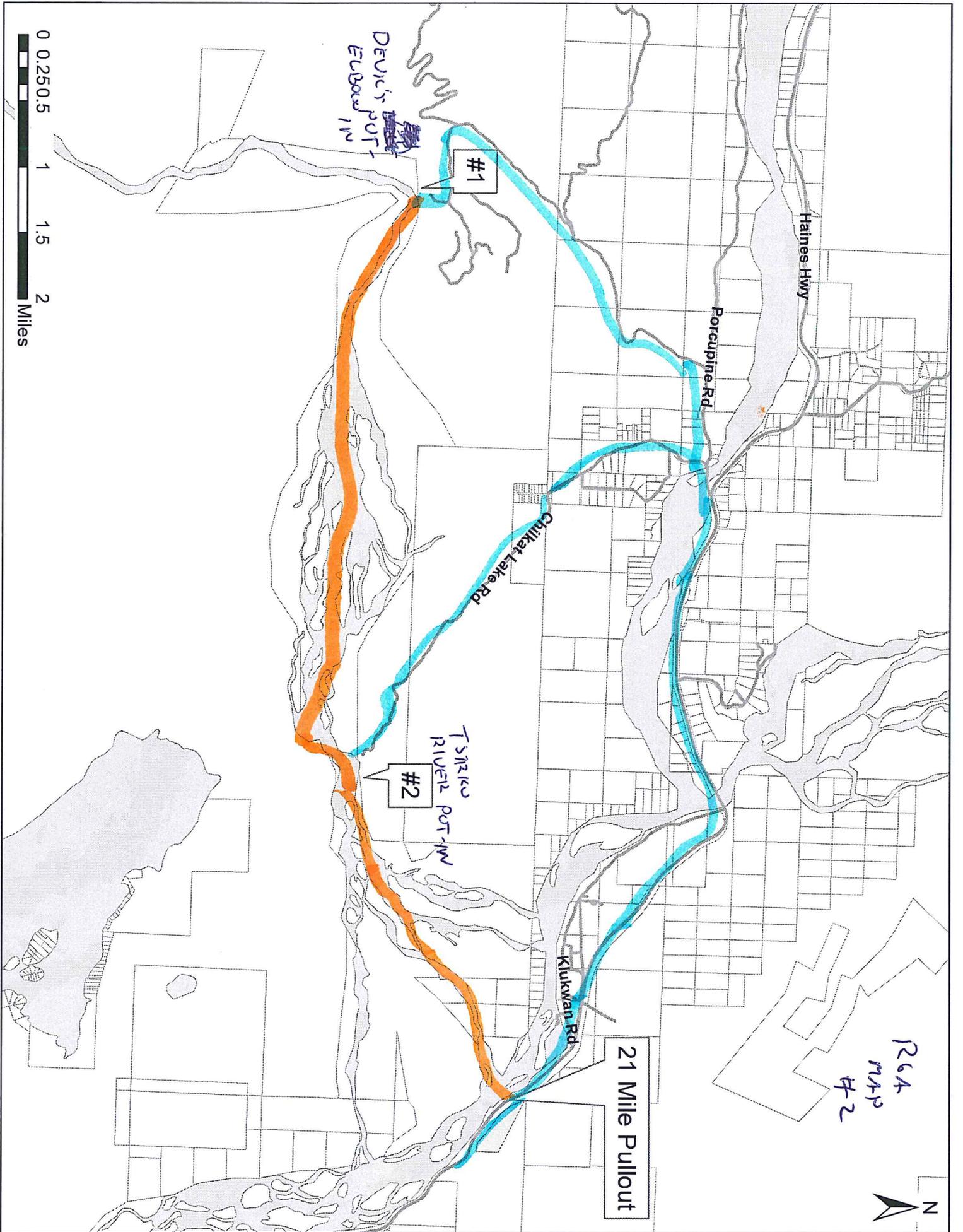
#4  
STEEL  
BRIDGE

Chilkat Lake Rd

21 Mile Pullout

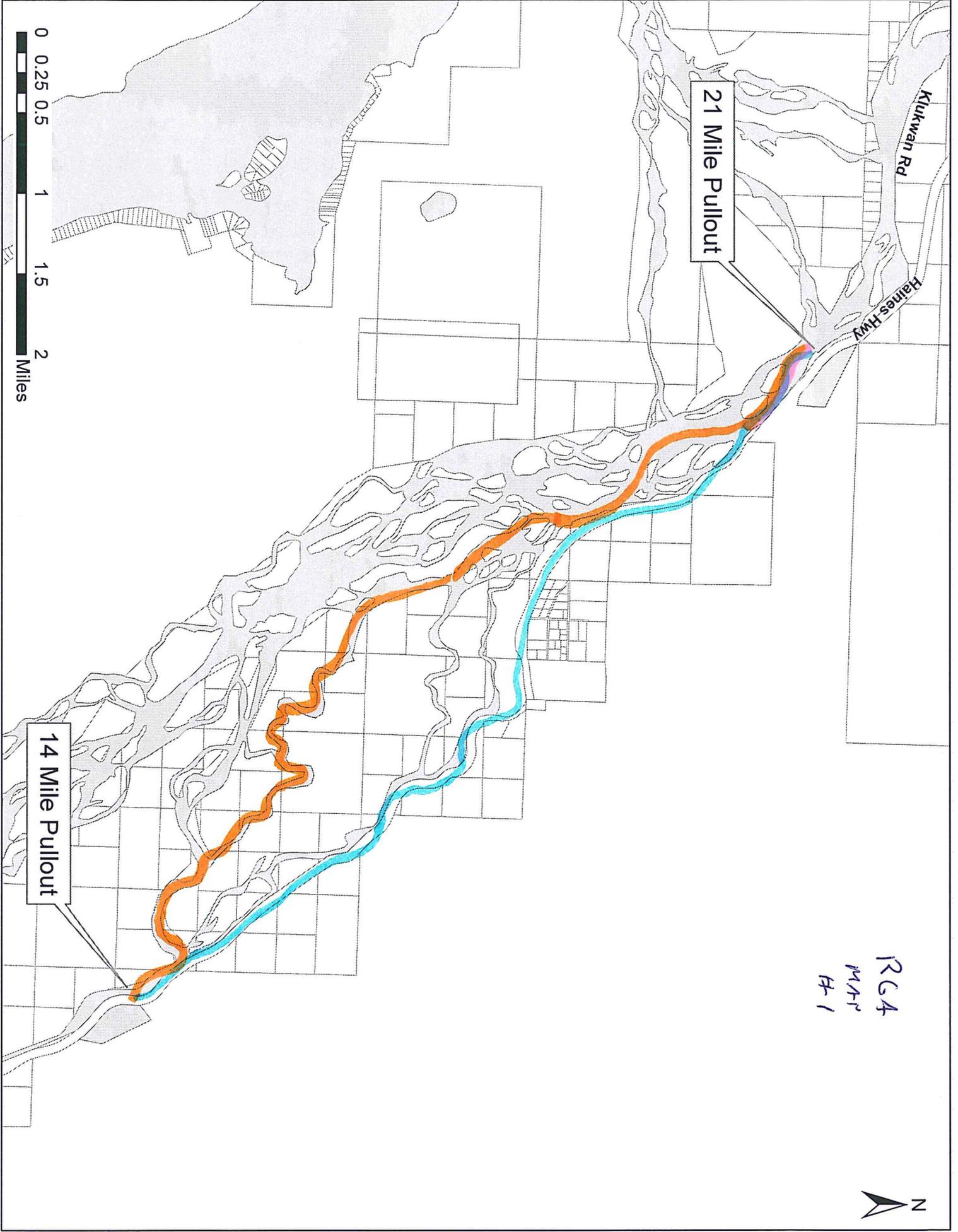
Klukwan Rd

0 0.25 0.5 1 1.5 2  
Miles





RG4  
MAR  
#1



21 Mile Pullout

14 Mile Pullout

0 0.25 0.5 1 1.5 2 Miles

Klukwan Rd

Haines Hwy

## Michelle Webb

---

**From:** Phil Benner  
**Sent:** Thursday, January 30, 2014 3:20 PM  
**To:** Michelle Webb; Tanya Carlson; Simon Ford  
**Cc:** Julie Cozzi  
**Subject:** RE: New Tour Permit Application- Rainbow Glacier Tours

I have no problem with this tour.

Phil Benner

---

**From:** Michelle Webb  
**Sent:** Thursday, January 30, 2014 2:39 PM  
**To:** Tanya Carlson; Phil Benner; Simon Ford  
**Cc:** Julie Cozzi  
**Subject:** New Tour Permit Application- Rainbow Glacier Tours

Good afternoon,  
The Clerk's office has received a commercial tour permit application from Rainbow Glacier Tours for a new rafting and canoeing tours. I have attached their application and maps for your review.

As you know, your review is a requirement for all tour applications per HBC 5.18.040(C) which states "The police chief, tourism director, and harbormaster shall review any application for a tour...." After your review, please let us know if you have any comments or concerns with the renewal of this tour permit.

Thank you.

**Michelle L. Webb**

Serving Interim Clerk (Deputy Clerk)

Haines Borough

P.O. Box 1209

Haines, AK 99827

P: (907) 766-2231 ext. 36

F: (907) 766-2716

## Michelle Webb

---

**From:** Simon Ford  
**Sent:** Thursday, January 30, 2014 3:33 PM  
**To:** Michelle Webb; Tanya Carlson; Phil Benner  
**Cc:** Julie Cozzi  
**Subject:** RE: New Tour Permit Application- Rainbow Glacier Tours

No objections from the police department

---

**From:** Michelle Webb  
**Sent:** Thursday, January 30, 2014 2:39 PM  
**To:** Tanya Carlson; Phil Benner; Simon Ford  
**Cc:** Julie Cozzi  
**Subject:** New Tour Permit Application- Rainbow Glacier Tours

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Thank you.

### Michelle L. Webb

Serving Interim Clerk (Deputy Clerk)

Haines Borough

P.O. Box 1209

Haines, AK 99827

P: (907) 766-2231 ext. 36

F: (907) 766-2716

## Michelle Webb

---

**From:** Tanya Carlson  
**Sent:** Tuesday, February 04, 2014 2:25 PM  
**To:** Michelle Webb  
**Subject:** RE: New Tour Permit Application- Rainbow Glacier Tours

**Categories:** Blue Category

I am in favor of this tour permit. Rainbow Glacier Adventures runs very good tours and, as far as I am aware, abides by borough code.

Cheers,

*Tanya*

Director of Tourism  
Haines Borough  
PO Box 530  
Haines, AK 99827  
907-766-2234  
[www.haines.ak.us](http://www.haines.ak.us)  
[tcarlson@haines.ak.us](mailto:tcarlson@haines.ak.us)



---

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**Sent:** Thursday, January 30, 2014 2:39 PM  
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**Cc:** Julie Cozzi  
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Thank you.

HAINES BOROUGH  
HAINES, ALASKA  
**PUBLIC NOTICE**

AT **6:30 p.m., March 11, 2014**, IN THE ASSEMBLY CHAMBERS OF THE PUBLIC SAFETY BUILDING, A PUBLIC HEARING WILL BE HELD ON THE FOLLOWING:

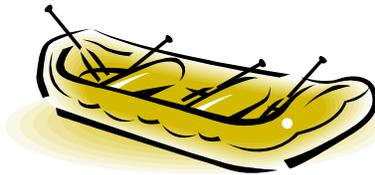
**APPLICATION FOR NEW COMMERCIAL TOURS**

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**Rainbow Glacier Adventures**

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Public comments may be made at the public hearing, sent to P.O. Box 1209, Haines, AK 99827, or emailed to [mwebb@haines.ak.us](mailto:mwebb@haines.ak.us).



# Memo

## From the Interim Clerk

Date: March 6, 2014

To: Mayor and Assembly

Cc: Borough Manager

From: Michelle Webb, Interim Clerk

Re: Agenda Item 7C – Rehearing on Appeal of Planning Commission Decision  
Big Salmon Ventures LLC – Conditional Use Permit Application

### **Summary of History:**

On 1/27/14 Big Salmon Ventures LLC (BSV) submitted a Conditional Use Permit (CUP) application for a heliport through its agent Scott Sundberg. At the 2/13/14 meeting, the planning commissions made a motion to grant a one year CUP with conditions. That motion failed 4-3. BSV has submitted a timely filed appeal (on 2/18/14) of the planning commission's denial to approve the CUP with conditions. HBC 18.30.060 allows for an appeal to the assembly of a planning commission decision. On 2/25/14 the Haines Borough Assembly decided to rehear the appeal in its entirety. This rehearing was scheduled for this meeting as required by HBC 18.30.060(A).

### **Burden of Proof:**

The burden of proof shall be solely on the party challenging the commission's decision.

### **Evidence:**

The evidence shall be limited to a review of the record, and the burden of proof shall be solely on the party challenging the commission's decision. "The Record" in this appeal is determined to be: all documentary or oral statements and any material objects that were provided to the planning commission in this matter. The evidence is limited to that same record, although further argument may be allowed.

### **Argument:**

Argument is defined as "reasons given for or against a matter under discussion that is intended to convince or persuade the listener." Oral arguments are acceptable during this hearing. As typical for an appeal hearing, it will begin with presentations by Mr. Sundberg, staff, and then proceed with any public testimony.

### **Attachments:**

This memo has the following attachments that are not part of the record, but help to document the appeal:

<b>Attachment # - Document or Object</b>	<b>Document Date</b>
A1. Record of Decision/Action Request from the Planning Commission	2/14/14
A2. Big Salmon Ventures LLC Appeal of the Planning Commission Decision	2/18/14
A3. Reported List of Planning Commission Members that visited the proposed site of the CUP	3/7/14

The Record consists of the following documents attached as a packet to this memo:

**The Record:**

<b>Document or Object</b>	<b>When Provided to PC</b>
R1. Audio Recording of the 1/19/12 Planning Commission Meeting	Created at Meeting
R2. SEABA's 1/5/12 Conditional Use Permit Application and attachments R3. Heliport CUP Public Hearing Map R4. Notification of Neighboring Land Owners and List R5. HBC Chapter 18.80 Conditional Use	Part of the 2/13/14 PC meeting packet published on 2/7/14
R6. 2012 SEABA CUP File and Sound Article R7. Citizen Comments	Supplemental documents to the 2/13/14 packet
R8. Emails Correspondence between Commissioners and Staff	Individual Correspondence
R9. Manager's Recommendation of 2/13/14	Provided at the 2/13/14 PC meeting

**Assembly Action Needed:**

Confirm or reverse the commission's decision to deny Big Salmon Venture's Conditional Use Permit.

- Reverse the planning commission decision to deny the CUP and grant the permit
  - with or without conditions
- Confirm of the planning commission decision to not issue the CUP

**SPECIFIC REASONINGS FOR THE DECISION MUST BE STATED AS PART OF THE MOTION**

The assembly must make its decision at this meeting and shall support its action with written findings of fact keeping in mind that “in all decisions the burden of proof shall be on the party challenging the decision of the planning commission.”

**Findings of Fact and Conclusions of Law:**

Draft findings of fact and conclusions of law setting forth the reasons for any decision made by the Assembly will be prepared after the vote has been taken. This written decision will be prepared based on the reasons stated by individual Assembly members at the time the vote is taken. This draft written decision will be formally adopted at a subsequent Assembly meeting after being reviewed by the Assembly to make sure the written decision accurately reflects the reasons for the decision.



Haines Borough  
**BOROUGH ASSEMBLY  
ACTION REQUEST**

DATE: Feb 13, 2014

TO: Borough Assembly

FROM: The Haines Planning Commission

RE: Big Salmon Ventures LLC Conditional Use Permit for Heliport

PLANNING COMMISSION ACTION:

**Motion:** Hedden moved to “approve the conditional use permit for a period of one year with the conditions that are stated in Big Salmon Ventures’ application”, Turner seconded it.

**Primary Amendment:** Gonce moved to “only allow one company to use the site at a time, and all landings shall be no closer than 1,100’ to the centerline of Chilkat Lake Road”, Turner seconded it. The primary amendment passed 6-1 with Goldberg opposed.

The main motion failed with Goldberg, Heinmiller, Lende, and Venables opposed.

**Motion:** Venables moved to “For 2014, the Planning Commission recommends the Assembly authorize the Borough Manager to issue a temporary conditional use permit that allows for a limited, pre-approved, borough-monitored number of random landings, incorporating conditions offered by the Big Salmon Ventures, only allowing for one company to use the site at a time, with all landings to be at least 1,100’ from the centerline of Chilkat Lake Road to gauge actual impacts, between 8:30 a.m. and 4:30 p.m. with continued noise measurement and monitoring”, Gonce seconded it. The motion passed 6-1 with Goldberg opposed.

RATIONALE:

Commission responsibilities, public testimony, the Borough Interim Manager’s recommendation letter were topics discussed. There are eight criteria to be considered in deciding whether or not to grant a conditional use permit. It was pointed out that the Planning Commission’s job is to look into the code, and to find out if each of the criteria is met.

Goldberg does not think this “one-year trial” will work well. If the Planning Commission approves a one-year conditional use permit, the developer probably will invest in

infrastructure. The Planning Commission will have to go back to deal with this again after one year if the neighbors complain about the noise. Also, Criteria 1 reads "the use is so located on the site as to avoid undue noise and other nuisances and dangers." A few homeowners have given their comments that they heard helicopters from inside their homes, so obviously the noise is subjective. He thinks Criteria 1 has not been met.

Gonce went to the proposed site, and did the decibel testing with Nick Trimble. As far as his observations, the volume created with the helicopter was very low. The readings were lower than he expected. The last time this proposal came to the Planning Commission he voted against it. One of the main reasons is the noise. However, after his trip to the site, he believes the new proposed site will greatly mitigate the sound to the neighbors.

Venables would like to see a temporary permit to be monitored by the Borough. The purpose of the landings will be to assess the actual impacts of noise on nearby residences. He said it is premature to grant a long-term permit at this time.

#### PLANNING COMMISSION REQUEST:

To recommend the Assembly authorize the Borough Manger to allow a number of helicopter landings at the proposed site during the 2014 heli-ski season. The number of landings will be determined by the Manager. The purpose of the landings will be to assess the impacts of noise on nearby residences. This will help to determine if the proposed heliport can meet the requirements of Criteria 1 in Borough Code. All the conditions stated in Big Salmon Ventures' application shall be adhered to. In addition, this temporary conditional use permit shall only apply to Big Salmon Ventures, and the landing site shall be no closer to the centerline of Chilkat Lake Road than 1100'.

SUBMITTED BY



(signature)

Daniel Gonce  
Planning Commission Vice - Chair

**Notice Of Appeal From Haines Borough Planning Commission Denying Big Salmon Ventures (BSV)  
Conditional Use Permit**

RECEIVED Haines Borough

FEB 18 2014

Clerk's Office

Dear Mrs. Cozzi:

I am writing on behalf of our client, Big Salmon Ventures LLC, ("BSV") in response to the denial of its request for a Conditional Use Permit to develop a heliport on its property located at Lot 10 of the Sundberg Subdivision (the "Property"). In this connection, BSV would like to assert its request to appeal the Haines Borough Planning Commission's February 13<sup>th</sup> 2014 decision to deny the Conditional Use Permit Application submitted by BSV.

First, BSV respectfully asserts that the Planning Commission erred in failing to approve issuance of the Conditional Use Permit inasmuch as Big Salmon Ventures has met all of the conditional use permit requirements as enumerated in the Haines Borough Code ("HBC") Section 18.50.040.

Secondly, BSV asserts that the findings of the planning commission, especially in regards to safety welfare, failed to recognize the decibel testing and real life DNL noise levels as it relates specifically to the defined nature of the area and national noise standards for quality of life in the United States. Decibel levels after testing were much lower on average than the speculation that SEABA proposed in the CUP application that SEABA proposed in 2011.

In the Assemblies findings for the appeal of SEABA heliport in 2011 they cited decibel levels that were suggested but not confirmed around 68 on take off, while decibel testing most recently found that exposure to take off and landing are limited to less than two minutes per occurrence and that the actual decibel level peaked at 62dB.

More over other evidence entered into the record by BSV shows that the national acceptance of noise based on the DNL standard or noise testing show that residential areas experiencing decibel readings of 65 dB and lower with an average of 50dB DNL are acceptable and the standard for regulating noise for health safety, and welfare of residential neighborhoods.

BSV contends that this is, "he said, she said" issue when considering if this activity meets the criteria of safety and welfare, for residences and property owners in the area. Noise level testing and the acceptance that the zoning is not residential but rural settlement, and that property owners have rights to make a living off of their property should be enough to conclude that a one year conditional use, with contracted testing to national standards should show that this proposed activity with its conditions set forth by Big Salmon Ventures will not create a health, safety, or welfare condition that is unsurmountable and easily mitigated.

In the managers' findings below:

*"5. The granting of the conditional use will not be harmful to the public safety, health or welfare.*

*This requirement may not have been met. The Borough Comprehensive Plan reads: "In 2011 one business proposed development of a heliport on its land on the Chilkat Lake Road, which raised concerns about neighborhood character, noise and safety. The planning commission and assembly denied the permit based on health, safety and welfare issues..." The applicant has attempted with this new application to mitigate many of the issues that were brought up previously. This makes it a bit difficult to say with certainty that this will or will not be harmful to public safety, health, or welfare."*

The borough managers has doubts as to if this has been met. The manager contends that there needs to be more factual and objectionable discovery to confirm if BSV has mitigated the previous position by the borough assembly in 2011.

Commissioner Danny Gonce who was not in favor of the SEABA CUP application 2011 testified at the Feb 13<sup>th</sup> 2014 planning commission meeting that after he directed the sound decibel testing for BSV in December of 2013 his perspective and perception of the activity were changed. He felt that this was a permissible and acceptable use of the property based his experience. He also stated that he supported the Conditional use as long as it stayed 1100 feet from the center line of the Chilkat Lake Road.

Third, the manager findings documented that this use has speculative and subjective attributes when weighing them against code outlined conditions for a CUP, and that while it might be that not all of the 8 points were objectively met, the manager suggested giving BSV a one year CUP to help identify speculative and subjective impacts.

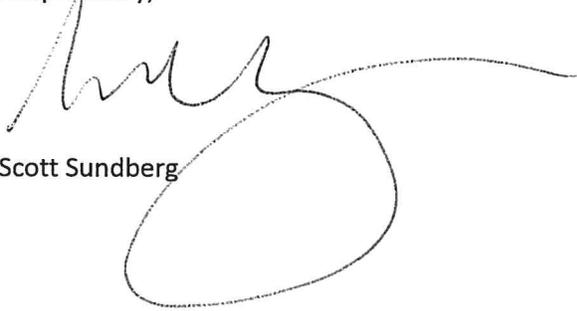
Fourth, the planning commission chair Rob Goldberg egregiously recognized opponents over proponents and interjected several comments that were not part of the record, including notes on waking babies over a half mile from conducted decibel test and disturbed residents that were not even aware the test occurred until told.

Chairmen Heinmiller also interjected through his testimony facts that were incorrect regarding the phased development of the winter village, and in our opinion was very biased in trying to develop subjective reason and rhetoric to not support the heliport opposition. We feel that the level of professionalism from these two planning commissioners was not acceptable and that the community at large should be concerned about their motives.

Finally, while the Winter Village and Eco lodge business plan for the surrounding properties owned by BSV/ SEABA in the 26 mile area does not need a conditional use permit, the development of these facilities and long stability of the Haines economy, its security and economic "WELFARE" depend on the conditional long term use of this property as a winter heliport.

SEABA was told that the borough would look into developing public heliport after SEABA's denial of the use of it property in January of 2011. After inquisition, fact finding, and committee discussions it was determined that not only was the industry not interested by the suggested heliport at the end of Chilkat Lake Rd, but the borough recognized that it did not have land in its possession that reflects the needs of the industry or in this particular case BSV/SEABA. This specifically relates to developing a stable long term business that would add greatly to the quality of life for majority and supportive Haines residents. We feel that the greater demand for a healthy economy that builds on recreation and ecotourism outweighs subjective and speculative determinations that our proposed heliport would create undo noise, safety and welfare issues to the surrounding areas.

Respectively,

A handwritten signature in black ink, appearing to read 'Scott Sundberg', with a large, sweeping flourish extending to the right and a large loop at the bottom.

Scott Sundberg

# A3

**Michelle Webb**

---

**From:** Xi Cui  
**Sent:** Friday, March 07, 2014 11:38 AM  
**To:** Michelle Webb  
**Subject:** BSV Heliport CUP

Michelle.

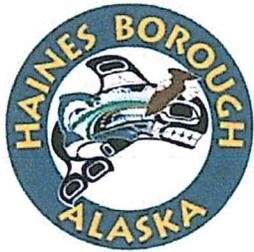
Planning Commissioner Danny Gonce did a decibel testing with Nick Trimble on the proposed site in 2013.

During a conversation with Planning Commissioner Heather Lende, I was told that she went to the proposed site before the Feb 13, 2014 Planning Commission meeting.

Thanks.

*Tracy Cui*

Planning and Zoning Technician III  
Haines Borough  
P.O. Box 1209  
Haines, Alaska 99827  
(907) 766-2231 Ext. 23  
Fax: (907) 766-2716



## Haines Borough

Planning and Zoning  
 103 Third Ave. S., Haines, Alaska, 99827  
 Telephone: (907) 766-2231 \* Fax: (907) 766-2716

### APPLICATION FOR CONDITIONAL USE PERMIT

Permit#: \_\_\_\_\_

Date: \_\_\_\_\_

Use this form for use approval by the Planning Commission for conditional uses.

<b>I. Property Owner/Agent,</b>		<b>Owner's Contractor(If Any)</b>	
Name: <u>Scott Sundberg/Big Salmon Ventures</u>		Name: _____	
Mailing Address: <u>P.O. Box 1368</u>		Haines Borough Business License #:	
Contact Phone: Day _____ Night _____		Alaska Business License #:	
Fax: _____		Contractor's License #:	
E-mail: <u>sunny@skiseaba.com</u>		Mailing Address: _____	
		Contact Phone: Day _____ Night _____	
		Fax: _____	
		E-mail: _____	
<b>II. Property Information</b>			
Size of Property: <u>20.09 acres</u>			
Property Tax #: <u>3-CLR-35-200</u>			
Street Address: <u>6 mile Chilkat Lake Rd</u>			
Legal Description: Lot (s) <u>7</u> Block _____ Subdivision <u>Revel - Big Salmon</u>			
<b>OR</b>			
Parcel/Tract _____ Section _____ Township _____ Range _____			
[Attach additional page if necessary.]			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area			
<input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input type="checkbox"/> Waterfront Industrial			
<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District			
<input type="checkbox"/> Lutak Zoning District <input checked="" type="checkbox"/> General Use			
<b>III. Description of Work</b>			
<b>Type of Application</b> (Check all that apply)	<b>Project Description</b> (Check all that apply)	<b>Water Supply</b> Existing or Proposed	<b>Sewage Disposal</b> Existing or Proposed
<input type="checkbox"/> Residential	<input type="checkbox"/> Single Family Dwelling	<input checked="" type="checkbox"/> None	<input checked="" type="checkbox"/> None
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Change of Use	<input type="checkbox"/> Community well	<input type="checkbox"/> Septic Tank
_____ sq. ft.	<input type="checkbox"/> Multi-Family Dwelling	<input type="checkbox"/> Private well	<input type="checkbox"/> Holding Tank
_____ seating	Total # of Units _____	<input type="checkbox"/> Borough Water System	<input type="checkbox"/> Borough Sewer System
capacity if eating/drinking establishment	<input type="checkbox"/> Cabin	<input type="checkbox"/> Other	<input type="checkbox"/> Pit Privy
<input type="checkbox"/> Industrial	<input type="checkbox"/> Addition	_____	<input type="checkbox"/> Other
<input type="checkbox"/> Church	<input type="checkbox"/> Accessory Structure		
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Other <u>Helipart</u>		

Valuation of Work: <i>Helipad, power, road work \$20,000</i>
Current use of adjacent properties: <i>General Use Mixed Residential - Rural</i>
Attach the following documents to the permit application: <input type="checkbox"/> Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required)

Pre-application Conference Date: 1/27/2014

Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

APPLICATION

Please provide a written narrative explaining how your project will meet the following requirements. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.  
Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.

*See attachments*

2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.

*See attachment*

3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

*See attached*

4. Describe how or why the specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

*See attached*

5. Explain how the granting of the conditional use will not be harmful to the public safety, health or welfare.

*See attached*

6. Describe the safeguards that will be provided so that the use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

*See attached*

#### IV. FEE

A non-refundable fee of \$150 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

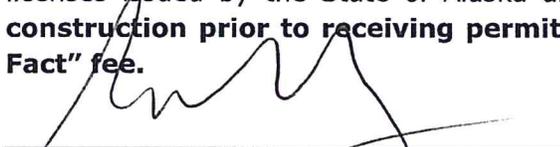
#### NOTICE

Per HBC 18.50.040, Comments received from property owners impacted by the proposed development will be considered and given their due weight. Additionally, the Planning Commission may impose one or more of the following conditions:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.

## V. CERTIFICATION

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property and that the use will comply with all required conditions and specifications, will be located where proposed and when developed, will be operated according to the plan as submitted. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**

  
 \_\_\_\_\_  
 Owner or Agent

1/27/2014  
 \_\_\_\_\_  
 Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

<input checked="" type="checkbox"/> Applicant Notified Application is Complete and Accepted <u>1/29/14</u> <u>In Person</u> <u>XC</u> <small>(Date) (Notified via) (Initials)</small>					
Non-Refundable Permit Fee \$ <u>150.00</u> Receipt No. <u>021895</u> Received By: <u>T. Oelzer</u> Date: <u>1/29/14</u>			Information/Documentation Req'd Rec'd <input type="checkbox"/> <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> <input type="checkbox"/> State DEC <input type="checkbox"/> <input type="checkbox"/> Variance/Conditional Use Permit <input type="checkbox"/> <input type="checkbox"/> Sign Permit		
Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
This application meets all applicable Borough policies and a permit is issued, conditional on the <b>substantial completion of construction within two</b> years and the following special requirements:					
Planning Commission Chair:			Date:		

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

## **ATTACHMENT A**

### **SITE PLAN REQUIREMENTS**

1. Drawing showing dimensions, including elevations, of lot on which activity/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.

Big Salmon Ventures LLC  
AK Entity # 100622  
Box 1368 Haines, Ak 99827  
.6 mile Chilkat lake Rd.  
Property Id# 3-clr-35-0200

## Winter Recreation Village with Conditional Heliport

### Introduction

#### Background:

In 2007 Big Salmon Ventures purchased said property with the intent to build and run a lodge in conjunction with a Nordic, Heliskiing, and Snow-cat clients. When the property was purchased, heliports in the borough were not a conditional use, but a use by right in the GU. Because of the instability of the borough tour permit and heliskiing regulation we have been apprehensive in committing to the development of our master business plan, until more solidified and reasonable regulations were adopted.

Since 2008 then we have been improving the basic needs of the property like access and road infrastructure to accommodate the potential uses.

In March of 2008 Helicopter was given permission to land on the property for emergency fueling. This low fuel landing was done with the knowledge that we had all rights to do so on the property. It was at this point Eagle Vista subdivision resident voiced concern over this use.

This landing happened at a the time SEABA's operating plan had not identified the property as a base of operations and we were informed by the borough that operators would need to change thier operating plan through public process to be able to use Big Salmon Property as a heliport.

In 2009 the Haines borough through legal challenge by the FAA, was forced to change the ordinance involving the regulation of helicopters in air space.

It was at this point that we concluded that heliski operators like SEABA did not need to change thier operating plan to identify heliports, therefore in 2008 BSV had every right to utilize out property in this manner.

In the meantime SEABA has been working with Big Salmon to develop better winter access and infrastructure to accommodate this use. This is mainly was comprised of SEABA acquiring fuel tanks, a phone line, power, and a structure for existing snow-cat operation to properly utilize the property for existing commercial activities.

In 2011 the borough started to take steps towards recognizing the industry and its needs by forming a heliski task force and making changes to the borough code involving access point for the heli industry. We notified the borough attorney and the manager of our existing right to utilize this property as a use by right. The manager and the task force failed to agree on the existing legal rights for Big Salmon to use its property. The assembly adopted a revised tour

permit that only grandfathered 3 properties with the right to land helicopters in association with heliskiing. BSV felt this was a stop gap measure and did not answer the questions surrounding the cloudy and misleading regulation of the heliskiing industry.

In an effort to “play ball” with the borough, SEABA submitted a CUP to utilize a neighboring piece of property it owns that had some infrastructure on it to support heli operations in the upper valley. The result of this process created a 3 to 3 tie or non-decision. It was appealed by SEABA and the borough upheld the P. C. non decision.

The borough based its support for denying the CUP on the CCR structure of a neighborhood that was attempting to rezone, that did not want to allow helicopter landings. Within the year, failure of this rezoning attempt was apparent, as many of the presented facts and intent were false and fraudulent in nature. It was also expressed by members of the public that the group behind the rezoning attempt do not even follow the CCR’s of their neighborhood to begin with, so why should they be capable of affecting other property owners rights..

SEABA’s attorneys wrote a brief that demonstrates that SEABA’s property rights were infringed upon and that a governmental taking has occurred. SEABA is willing to share this brief if anyone is interested in reading it.

Through SEABA’s CUP process and public testimony, the lack of physical evidence of actual noise disturbance, or factual, scientific, and tangible evidence that this activity affects the health, safety, and wellbeing of the greater good were simply not present. SEABA had identified studies and other municipal ordinances that were good examples of existing compliant uses. SEABA also established noise gradients for the area on a map that showed noise levels at certain locations. These gradients were of acceptable levels of very light commercial and compliant with the higher noise limits.

In actual tests done for Big Salmon Ventures, the predicted noise generation at specific locations came in lower than the examples produced by SEABA in its CUP application in 2011.

There are many ideals to this property that influenced Big Salmon Ventures purchase of this property. In consideration of the multi season activities listed in our business plan, we felt that it served the community at large as well as the business.

First, departure and approach routes to the commercial skiing areas, utilize existing flight paths that are close, within 1.5 miles of the property. These flight paths only cross over state lands, no private lands. These lands are identified in the 2025 Comprehensive Plan as multi use with an emphasis of resource extraction and resource development. This identifies that a heavy industrial uses, like mining and timber harvesting are allowed in area. Big Salmon’s property borders this and is identified as rural settlement.

This classification of lands under the flight path to and from skiing destinations is compatible. It also demonstrates that properties under these paths would not be hindered in terms of value, or disturbance based on proposed use.

In terms of economic development Big Salmon Ventures its members and associated investors, has intent to develop a multi million dollar Winter/Summer Recreation Village on its properties, that would increase property tax revenues, sales, and bed tax to the borough coffers.

Big Salmon sold 6 properties to the east of the proposed lodge site and have short platted three more to allow for commercial retail growth in this area. Two of these properties were sold to an individual that expressed interest in building a commercial shop for heavy equipment to help develop land in the upper valley, and the second property was to be developed as ski in ski

out cabins that could be rented to heliskiing and snow cat enthusiasts, as well as summer clientele.

Another property was sold to a couple residing Anchorage in 2009, was done with disclosure that Big Salmon Ventures along with SEABA intends to operate the Heli and snow cat tours from this property during the winter months. On closing part of the real-estate deal was an included ski trip.

Their existing structure on the property is in shell form with only power from IPEC as the only utility in the fall of 2013.

In the last few years the borough has worked towards rewriting the tour permit related to helicopter skiing and provided much new relevant content around this issue.

Since the adoption of the Conditional Use Legislation in regards to Heli ports accompanying heliskiing permitting, Big Salmon's interest in securing this property with the original intended use has increased. Other factors included are the addition of a third operator that could dramatically increase present congestion at existing heliports, increased traffic of current flight paths, and the purchase and development of 18 mile. The heliports used by the heliskiing industry are in flux because of the lack of ownership by heliskiing operators. By affirming that Big Salmon Ventures property rights to include a heliport would secure safe future operations for the heliski industry. It would also help engage development of a three season rural setting eco-lodge and a commercial Winter Village concept that other local and non local entrepreneurs can participate in. In a world market, which Haines heliskiing is very much a big part of, the market and the demand of its clients ultimately rests with the operator providing door to heli accommodations, with weather day support activities on site or nearby. We are in the service industry as much as the adventure travel industry. So in order to compete, BIG Salmon needs to have the right to fly guest from its properties.

The airport would be an excellent spot, except lodging and other services are not allowed at the Airport, and we have found through trial and error that even the purchase and development of the Fort Seward Lodge as a supportive ski lodge is lacking this key function. Heliskiing clients over the last 6 years that lodged at the Fort Seward have commented often that being closer to the snow cat, snow machineing, Nordic, and also having a heliport at the facility would help propel Haines to the next level in heliskiing. They mention this because their other experiences heliskiing around the world with other heliskiing operators have provided these offerings, and they are often staged in rural settlement scenarios.

A winter village at 26 mile is a fit for long term growth, and would diminish the desire to create other heliports on the road base in Haines by other non-industry based developers.. With acceptable noise levels generated during business hours for a short period of the year, we feel that this is a good solution to a long term problem. By affirming the use for Big Salmon the borough can effectively plan for the next 25 years based on this location.

In the 2025 Comprehensive plan it states:

*Capitalize on Haines' existing reputation and 'brand' as a recreation destination, and "Adventure Capital of Alaska" by expanding related businesses, jobs and commerce.*

*1. Continue to support a diversity of Haines Borough marketing efforts that promote and celebrate these qualities, including re-initiation of the "Move to Haines" campaign and targeted marketing to cruise ships, about Haines festivals, and winter recreation.*

*3. Develop a winter recreation marketing and outreach program.*

*4. Provide certainty for both businesses and residents by preparing a heli-ski management plan that addresses safety, neighborhood quality, heliports, routes and areas of use, monitoring, quality experience etc. (September 2012 page 94 Objective 3D)*

The Big Salmon Ventures Plan along with the heliski industry is attempting to reach some of these goals identified in the plan on its own. We feel that there is sustainability and compromise in the plan. 95% (proponents) of the residents of Haines get to keep their quality of lifestyle, and the other 5%(opponents) have to share this with the outside world.

If Big Salmon cannot secure this use, then much of Big Salmons investment into property and infrastructure would be negligible. It would also impede the growth of heliski operators and their ability to operate in a efficient and ultimately the safest manner. A affirmation of BIG Salmon CUP would also reduce flight times and overall aircraft noise as a whole by reducing time spent flying over borough and state lands getting to commercial skiing areas. With this comes a more viable operation, with reduced costs.

Big Salmon proposes the following criteria for conditional use for heliskiing support:

1. Hours of operation 8:00 am to 6:00 pm from Feb1- March 10<sup>th</sup>, 7:30-7:00 pm March 11-April 1<sup>st</sup> and 7:00-8:00pm, between the dates of April 2<sup>nd</sup> - May 3<sup>rd</sup> for heliski operations.
2. Dates of Operation: February 1<sup>st</sup> thru May 3<sup>rd</sup>
3. Fuel storage will be done in accordance with D.E.C. standards with a fuel spill containment program in place before operations begin:
4. Allowance of emergency use for state and federal response, medical, firefighting.
5. Specific and identified GPS flight path that will create the least amount of noise and impact to nearby residents. Flight paths will not be conducted over any residences and take place over state lands.
6. Voluntary shut down of operations for nearby residents for special events that would be considered a nuisance or simply would disturb the quality of planned event. ( This would be specific in nature, depend on frequency of occurrence and nature of the event.)

The following are line item responses to code considerations under 18.50.040:

1. The heliport site as explained and can be viewed on the map entitled Big Salmon heliport, will show departure and approach to the west of the property. All property to the west of 3-CLR-35-0200 belongs to the State of Alaska, including the Haines State Forest and University of Alaska State Lands.  
A small dividing esker or ridge formed by glaciation and fluvial processes helps buffer residents to the east of this property. This ridge is approximately 35-50 feet in height and would provide a buffer to initial startup and lift off. (per written example below)

*On December 4<sup>th</sup> 2013 decibel testing for the area proposed for Heli landings was conducted. Tests were taken approximately at approx. 1100 feet and 1500 feet from the Chilkat Lake Rd. nearest the year round residence in the area. The following sound references are generated from a report from Daniel Gonc Vice-Chair of the Planning Commission.*

“Scott Sundberg was contacted via VHF radio, who was aboard the helicopter, to begin the approach. The flight path of the aircraft on approach was perpendicular to the Chilkat Lake Landing Road, and the helicopter was flying an Easterly heading on final approach. At all times the closest the helicopter approached the road was the landing site itself. I was told that the plans would be for the aircraft to actually touchdown in attitude parallel to the road, to allow for an in place rotation of 90 degrees for a takeoff run to the West from the landing site. The site of the 1st landing is a new landing pad location for Big Salmon. Nick stated

that they had spent some of the summer “logging” the new site and approach zone. The new site is approximately 90-100 yards to the West of the previously proposed landing site. On final approach I noticed that the sound level decreased noticeably before the aircraft touched down, which is consistent with dropping down to the lower landing zone, below the rim where the previously proposed landing zone was located. Additionally the sound level dropped off quickly once on the ground which was affirmed via radio from Scott. Readings were observed while the aircraft was on the ground at an idle state simulating a “hot refueling” for 3 or 4 minutes, then the aircraft departed back the same flight path as it had arrived. According to Nick, a typical “hot” refueling operation lasts 8 – 10 minutes, before the aircraft is reloaded for the next departure.

After the departure, the aircraft returned for a second approach to the older or previously proposed landing zone. This location is higher and closer to the Chilkat Lake Road. He also stated that because of a large tree near the landing zone the final approach is higher than an approach to the new, lower site. I did not notice the drop off in sound level immediately before touchdown as with the 1st landing. The aircraft again simulated a “hot refueling” operation, and then departed, again to the West, the same route as the approach.

In both cases, the aircraft was at a lower elevation than what I was expecting, and the flight paths where the aircraft was observed was at treetop height. The point of first observation of the aircraft Nick had to point it out to me as it was not where I expected it to be. If I was

traveling on Chilkat Lake Road in a vehicle and did not know there was a helicopter flying at that location, I most likely would not have had a clue of its presence.

Shortly after the second departure, Erica Mirklin came out of her residence and asked “What is going on?” She stated that she was sitting in her residence, listening to the radio, and heard the aircraft over the radio, and that it had caused her house to “shake”. We had a short discussion about the purpose of the visit to gather some readings, and we briefly explained some of the readings that we had seen from the meter, and stated that the sound level of the aircraft at its loudest was quieter than the verbal conversation that we were having.

After the discussion with Erica we departed and traveled to the site of the SEABA shop, and landing sites. We met Andy Hedden on the Chilkat Lake Road and he followed us to the landing sites. There was discussion about the immediately neighboring property owners, the new landing site, and proximity to existing designated flight paths in the area.

The helicopter used, as stated by Nick was operated by Coastal Helicopters, and is a model Eurocopter B-2 A-Star, which is the same model that SEABA operates.

The sound level meter: Digital Sound Level Meter by EXTECH Instruments, model 407727.

The documentation indicated accuracy of  $\pm 2$ dB at 94dB. The settings as noted were: Auto-Range mode; Fast time weight averaging; “A” weighted sound scale. The minimum scale of the meter is 40dB. Any reading below, displays: “LO”.

Sound Observations:

While in the truck traveling along Chilkat Lake road on an icy surface:

**81.1dB, 83.3dB, 83.6dB**

Erica Mirklin’s friendly dog barking at us from the driveway when we first stepped out of the truck: **62-63dB**.

Aircraft on approach to “new” LZ: starting at **LO** (dog done barking at us after coming to check us out) increasing steadily through 42dB to a peak of **62.1dB** before dropping quickly to a touchdown.

Aircraft “hot refueling” at the “new” LZ: **46-47dB**

Aircraft departing: peak of **62.3dB**, before tapering steadily back down to a “LO” reading.

Aircraft on approach to “old” LZ: starting at **LO** increasing steadily through 42dB to a peak

of **64.6 dB** at near touchdown.

Aircraft "hot refueling" at the "old" LZ: **51.5dB**

Aircraft departing from "old" LZ: peak of **68.5dB**, before tapering steadily back down to a "LO" reading.

Verbal outside conversation with Erica **70-75dB."**

On a decibel scale 60 is considered equal to conversational speech and 70 is an average radio or street noise.

The esker Ridge and the change in elevation are capable of reducing the majority of noise exposure to under 60 decibels, which is residential in nature. Idle or fueling was recorded at the high 40 low 50 dB's. This level is 90% of the noise generated over time, the take off and landing/approach comprise the other 10%

Alaskan communities like Anchorage, have noise ordinances established for residential and commercial range between 60 and 70 decibels during the hours of 7:00 am and 10:00pm. This is measured by the mean at the crossover of zoning, i.e property line.

Neither of these levels are considered hazardous. *The Municipal Code of Anchorage, 15.70 Noise Control legislation dictates that noises levels exceeding 90 decibels for more than 24 hours is hazardous. OSHA Also has similar references in consideration of the work place, were exposure of 90 decibels for more than 1.5 hours without hearing protection is hazardous.*

In terms of safe operation at the site the area has been cleared of excess trees and other hazards that could be a safety risk to the helicopter and its passengers.

2. We have mentioned that we have sold some adjoining property in recent years with disclosure that a commercial ski business would be operating from the proposed area. Sale prices have averaged above current property values in the area. Purchasers in some sales showed interest that this proposed use increased their desire to build a commercial entity.
3. The size and scale of the use would be similar to 18 mile heliport and 33 mile heli port. This means that on average one helicopter would primarily be using the area, and a second could be added at times. This would mean an average of 8-10 take offs and landings would be conducted per day. This would include 4 fueling trips per day. We are confident that access for EMS services would not be impaired and that access exists in the form of easements to and from the property.
4. The 2010 comprehensive plan (old) had determined that there are no specific areas identified in the GU that this use does not conform with. The surrounding uses range from rural residents to light industrial including saw mills, heavy equipment operators and salvage yards. The updates 2025comp plan just recognizes the area as Rural Settlement.

However, in the updated Comprehensive plan, (2012) it mentions, “ To promote efficient land use, good neighbors, and protect homeowner investments and lifestyles, require buffers between residential and non-residential land uses, between differing types/densities of residential development, or when home occupations or light (approved) commercial uses are adjacent. Depending on the situation, common measures could be landscaping, retained or additional vegetation, setbacks, fences, sound barriers, restriction on hours of operation of noise-generating equipment or activity.” We feel that we are mitigating these slight noise interruptions at residential noise thresholds of 65dB and below by utilizing existing vegetation, landscaping, and hours of operation. We would also point out that 80% of opposing individuals supporting the failed rezoning petition of 2012 live beyond the 65 dB threshold to the east and are separated from our properties by a multi-use road that delivers much higher dB ratings year round..

5. The use proposed is deemed adequate in Big Salmon opinion and is not harmful to the public safety, health and welfare .Although the borough assembly upheld a non decision (3-3) from the planning commission in regards to a similar denial of a CUP in 2012, Big Salmon recognizes that this was based on non scientific and objective reasoning, or lack of supportable evidence on behalf of the submitting party. SEABA in conjunction with Big Salmon Ventures have prepared a better fact based application at this time.

It is to be understood that the intended use in the GU is very broad and that there are acceptable levels of noise during business hours. It is also recognizes that the land designation of the properties as G.U. was an designation entered based on consolidation testimony, leaving it open to a change in zoning that was to come by demand.

Landowners West of the Chilkat Lake road were against the zoning petition, and favored open regulation if not use by right commercial.( Verbally confirmed by Chairman Goldberg in PC meeting regarding failed rural residential zoning attempt spring of 2013)

It will be argued that other residents also have profound investments also. However it should be recognized that when “all” investments in property were made in the area, they were done with disclosure. All land that was purchased and developed under no zoning or protections except for properties within the CCR’s of the University of Alaska properties in Eagle Vista.

However, we feel that based on the low duration of activity and the mild decibel ratings, impacts are at a minimum and this is a sustainable model.

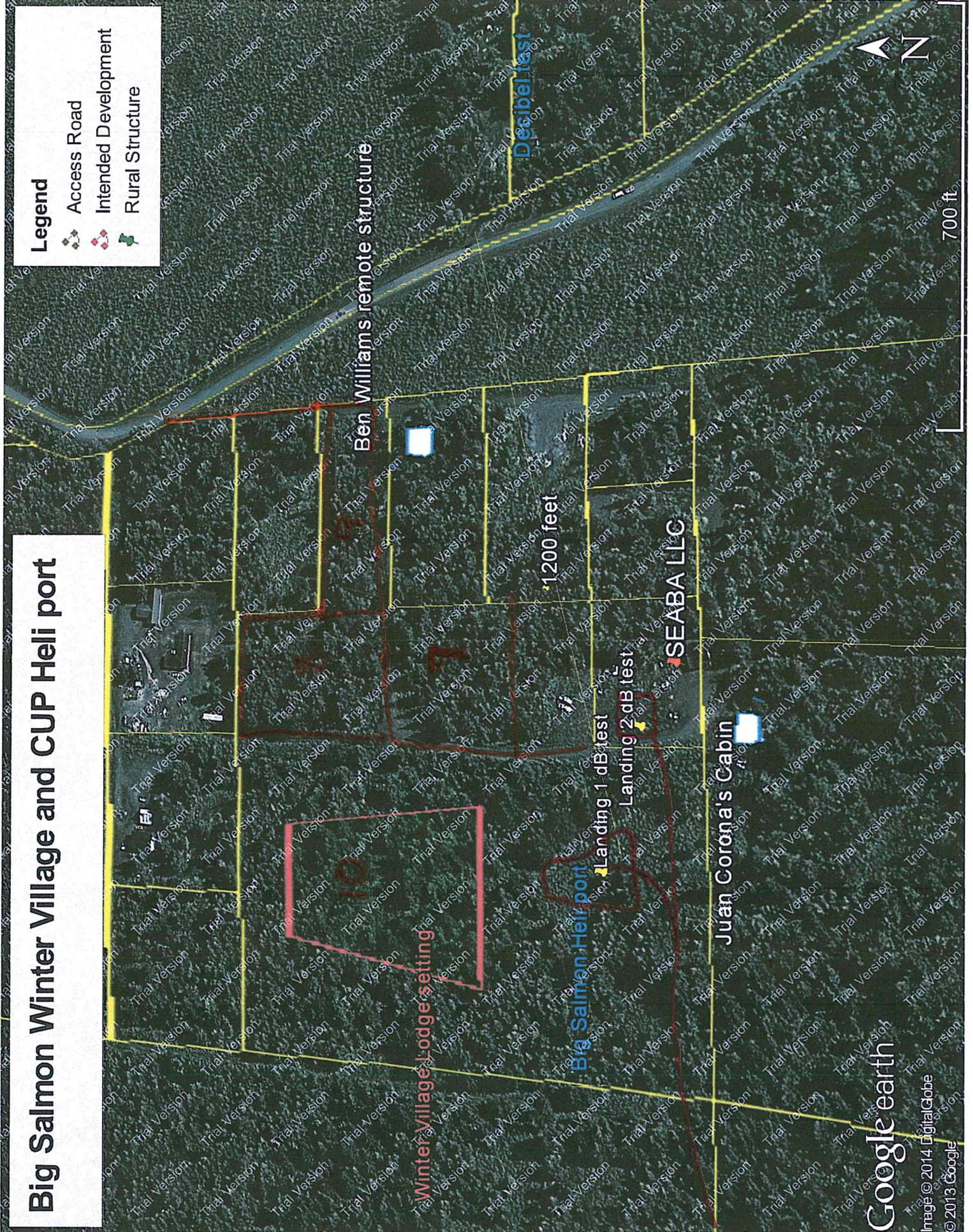
On page 151 of the Comprehensive plan it states, “The Haines Borough also recognizes the rights of private land owners to use their land without Undue restriction.”

6. There is no significant concern regarding ground or surface water contamination, and that there is no scientific proof that fish will stop spawning in surrounding creeks or wildlife will stop utilizing historic corridors in the immediate area. At this

# Big Salmon Winter Village and CUP Heli port

## Legend

- Access Road
- Intended Development
- Rural Structure



Ben Williams remote structure

1200 feet

SEABA LLC

Juan Corona's Cabin

Winter Village edgessetting

Big Salmon Heli port

Landing 1 dB test

Landing 2 dB test

Decibel test

700 ft

Google earth

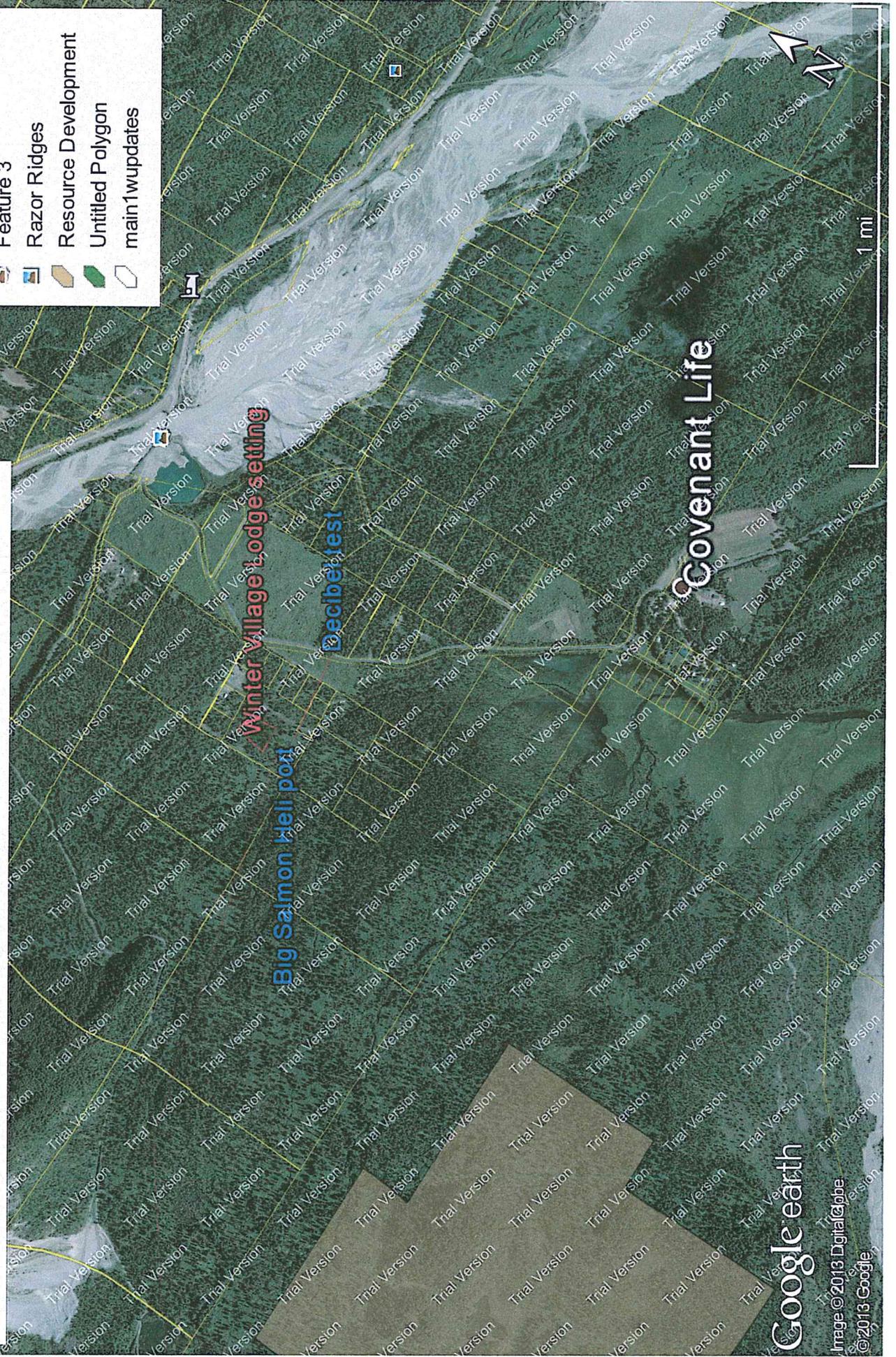
Image © 2014 DigitalGlobe  
© 2013 Google

# BSV LLC

The map includes location of Winter Village in red, heliport and flight route to and from this area. Decibel test location on the east side of red line is in blue.

## Legend

- Commercial
- Feature 1
- Feature 2
- Feature 3
- Razor Ridges
- Resource Development
- Untitled Polygon
- main1wupdates



Winter Village Lodge setting

Big Salmon Heli port

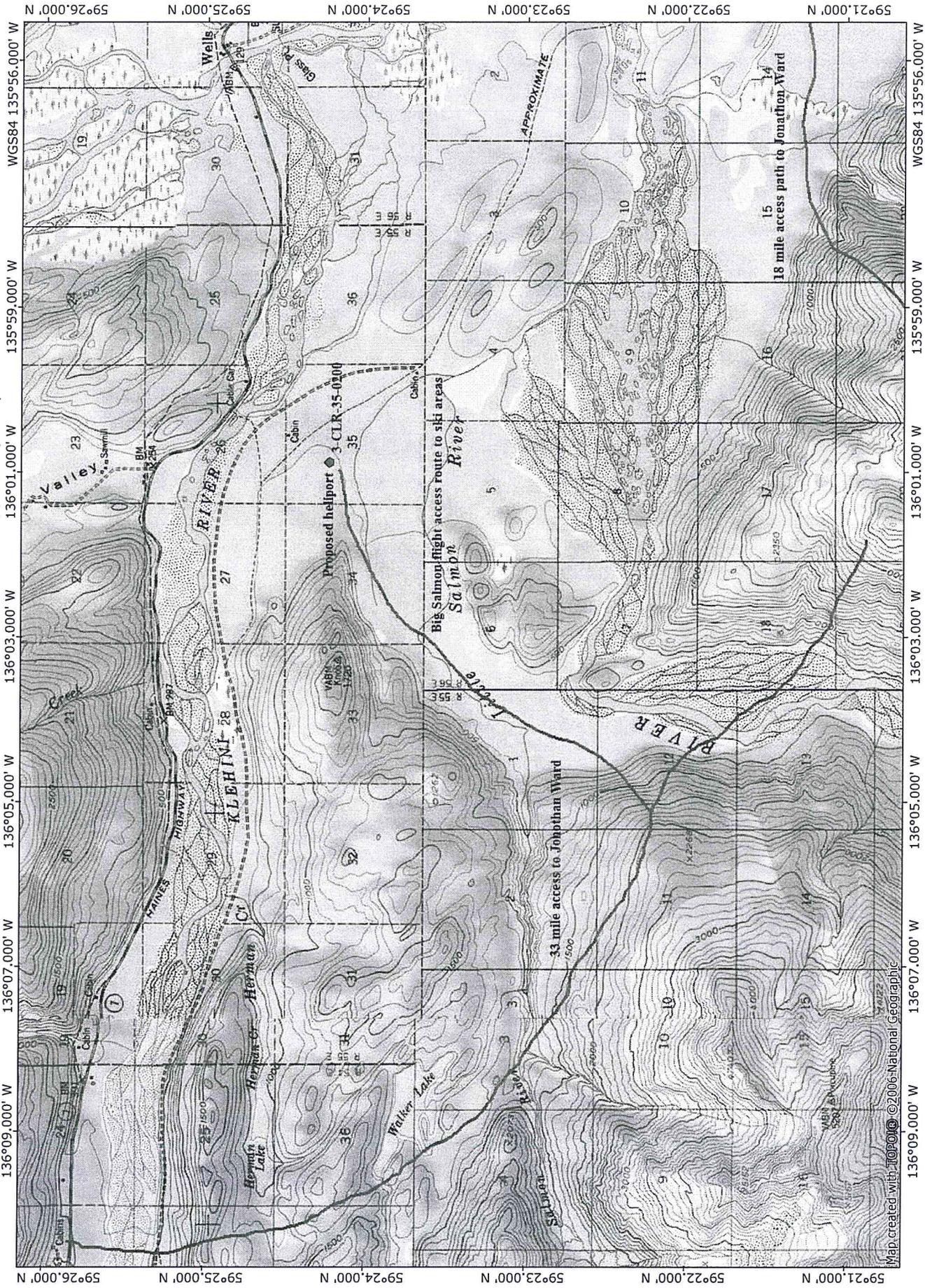
Decibel test

Covenant Life

Google earth

Image © 2013 DigitalGlobe  
© 2013 Google

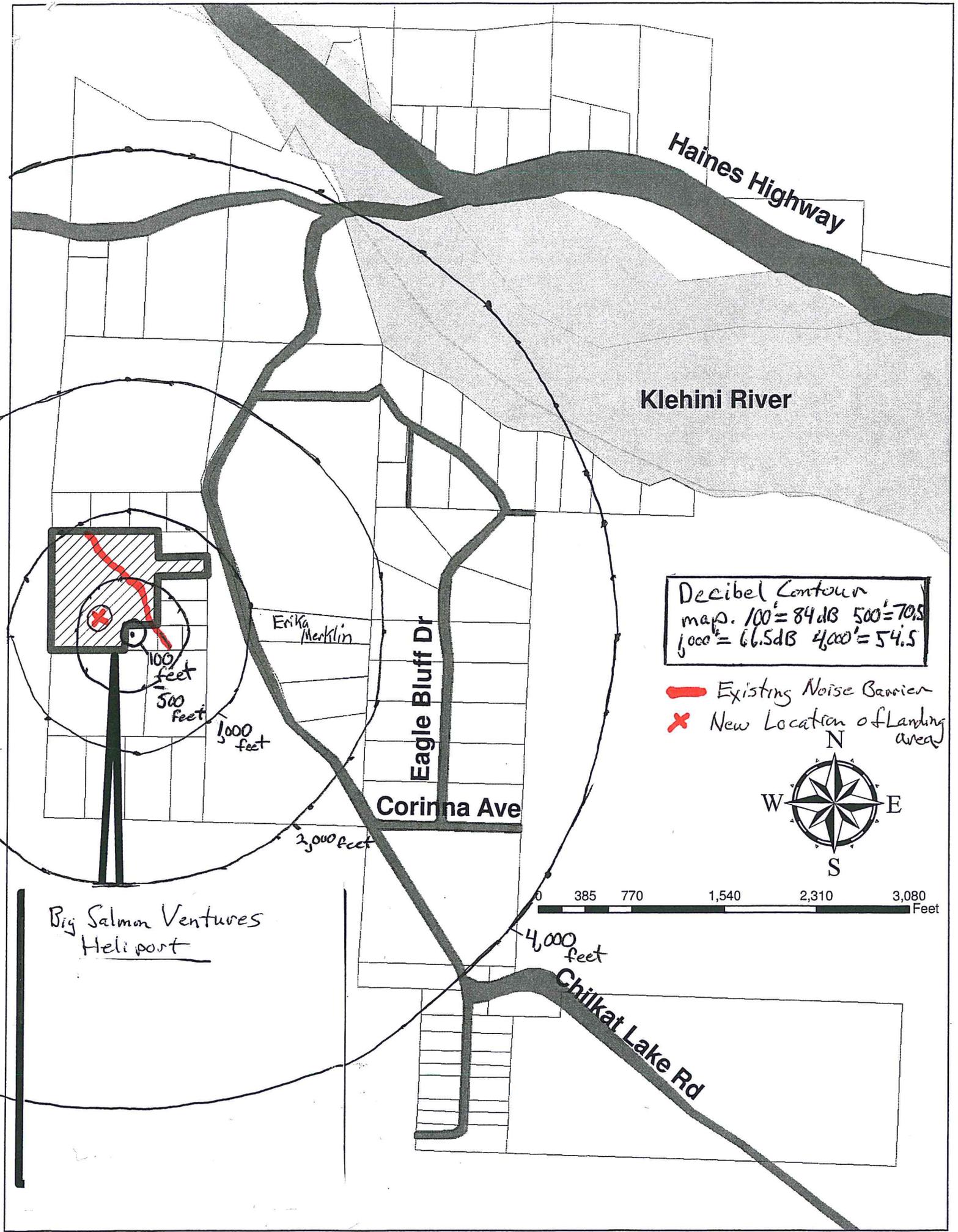
TOPO! map printed on 04/05/11 from "26 mile approach plan.tpo"



Map created with **TOPO!** ©2006 National Geographic



TN\* MN  
22 1/2°  
04/05/11

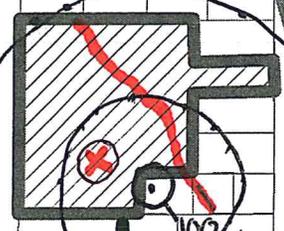
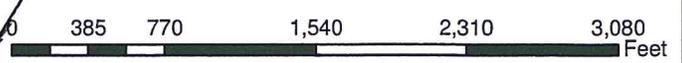


Haines Highway

Klehini River

Decibel Contour map.  
 $100' = 84\text{dB}$   $500' = 70.5$   
 $1000' = 66.5\text{dB}$   $4000' = 54.5$

- Existing Noise Barrier
- ✗ New Location of Landing area



Erika Merklin

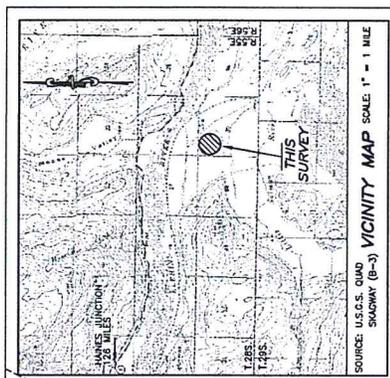
Eagle Bluff Dr

Corinna Ave

Big Salmon Ventures Heli port

4,000 feet

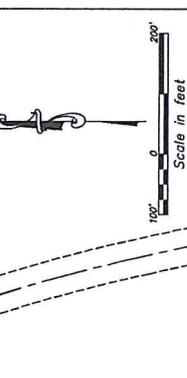
Chilkat Lake Rd



**VICINITY MAP** SCALE: 1" = 1 MILE  
 SOURCE: U.S.G.S. QUAD SHADOWNY (8-3)

**LEGEND**  
 ⊗ C.I.O./B.L.M. 2-1/2" BRASS MONUMENT OF RECORD  
 ⊙ PRIMARY MONUMENT RECOVERED THIS SURVEY  
 ● SECONDARY MONUMENT SET THIS SURVEY BY J.W. BEAN  
 ○ SECONDARY MONUMENT RECOVERED THIS SURVEY

TYPICAL SECONDARY MON. 5/8" REBAR, 30" LONG



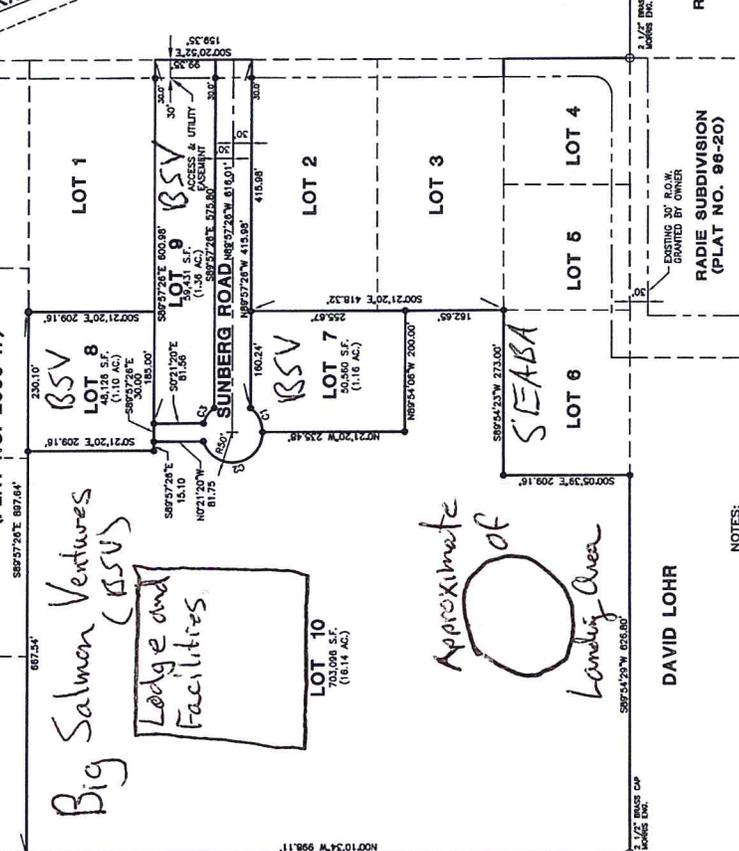
**CERTIFICATE BY THE HAINES BOROUGH**  
 I HEREBY CERTIFY THAT THE APPLICANTS ARE NOT DEPENDENT ON PROPERTY TAXES FOR THE PROPERTY DESCRIBED ON THE SUBDIVISION PLAT SHOWN HEREON.  
 Date: \_\_\_\_\_, 2010.  
 Haines Borough Assessor

**CERTIFICATION OF BOROUGH ASSESSOR**  
 I HEREBY CERTIFY THAT THE APPLICANTS ARE NOT DEPENDENT ON PROPERTY TAXES FOR THE PROPERTY DESCRIBED ON THE SUBDIVISION PLAT SHOWN HEREON.  
 Date: \_\_\_\_\_, 2010.  
 Haines Borough Assessor

**NOTE:**  
 THIS PLAT IS IN THE RURAL MIXED USE ZONING DISTRICT.

DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_



**UNIVERSITY**

CURVE #	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	032°21'48"	50.00'	45.99'	44.38'	N83°15'40"E
C2	102°26'01"	50.00'	141.91'	98.85'	S09°05'01"E
C3	039°02'03"	50.00'	31.45'	30.83'	N84°50'39"W

**STATEMENT OF OWNERSHIP:**  
 I HEREBY CERTIFY THAT BIG SALMON VENTURES, LLC, IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT AS GENERAL MANAGER OF SAID PROPERTY, I HAVE CAUSED THIS PLAT TO BE PREPARED AND RECORDED TO DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED:  
 Date: \_\_\_\_\_, 2010

**NOTARIC ACKNOWLEDGEMENTS:**  
 I, \_\_\_\_\_, S.S.,  
 STATE OF ALASKA,  
 DO hereby certify that on this \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010,  
 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 My Commission Expires \_\_\_\_\_

**SEE SECTION DETAIL**

**SUNDBERG SUBDIVISION II**  
 A RESUBDIVISION OF  
 LOT 7, SUNDBERG SUBDIVISION  
 SECTION 35  
 T-28S, R-56E, C.R.M.  
 WITHIN HAINES BOROUGH, ALASKA  
 HAINES RECORDING DISTRICT - HAINES, ALASKA

**DAVID LOHR**  
 SURVEYOR - PLANNER

**NOTES:**  
 1. ALL PLAT BEARINGS SHOWN ARE TRUE BEARINGS AS OBTAINED FROM THE BASIS OF BEARINGS TO WHICH THE BEARINGS SHOWN ARE REDUCED TO HORIZONTAL PLANE.  
 2. DISTANCES SHOWN ARE REDUCED TO HORIZONTAL PLANE.  
 3. ENCLOSED IN PARALLELS MEASURED OR CALCULATED BEARINGS AND/OR DISTANCES ARE SHOWN WITHOUT REGARD TO CURVATURE OF THE EARTH.  
 4. THIS SUBDIVISION IS NOT SERVED BY MUNICIPAL WATER OR SEWER. ALL WATER SUPPLY AND WASTEWATER HANDLING REQUIREMENTS SHALL BE THE RESPONSIBILITY OF THE ENVIRONMENTAL CONSERVATION REQUIREMENTS.

**J.W. BEAN INC.**  
 PROFESSIONAL SURVEYOR  
 1070 ANCHORAGE SQUARE  
 ANCHORAGE, ALASKA 99503  
 (907) 781-0390  
 SURVEYOR - PLANNER

**STATE OF ALASKA**  
 49101  
 J.W. BEAN  
 SURVEYOR

DATE: \_\_\_\_\_

DRAWN BY: G.M. Olymph  
 CHECKED BY: J.W.B.  
 DRAWING DATE: 12-14-2010  
 FIELD BOOK:  
 SCALE: 1"=100'  
 JOB NO.: HNS-103007-SUNDBERG-LOTS 1-10  
 REVISIONS:

## Decibel Levels of Common Sounds

Sound intensities are typically measured in decibels (dB). A decibel is defined as 10 times the logarithm of the power ratio (power ratio is the ratio of the intensity of the sound to the intensity of an arbitrary standard point.) Normally a change of 1 dB is the smallest volume change detectable by the human ear.

Sound intensity is also defined in terms of energy (ergs) transmitted per second over a 1 square centimeter surface. This energy is proportional to the velocity of propagation of the sound.

<b>Decibels (dB)</b>	<b>Degree</b>	<b>Sound Source</b>
225	Deafening	12" Cannon @ 12' in front and below
195	Deafening	Saturn rocket
180	Deafening	Aircraft at take-off
160	Deafening	Ram jet
150	Deafening	Turbo jet
140	Deafening	Artillery fire
130	Deafening	Threshold of pain, decibels at or above 130 cause immediate ear damage. Hydraulic press, pneumatic rock drill
120	Deafening	Riveter, chipper, thunder, diesel engine room, <u>fireworks display</u>
110	Deafening	Punch press, close to a train, ball mill

100	Very Loud	Passing truck, home lawn mower, car horn @ 5 meters, wood saw, boiler factory
90	Very Loud	Decibels at or above 90 regularly cause ear damage. Noisy factory, truck without muffler
80	Loud	Noisy office, electric shaver, alarm clock, police whistle
70	Loud	Average radio, normal street noise
60	Moderate	Conversational speech
50	Moderate	Normal office noise, quiet stream
45	Moderate	To awaken a sleeping person
40	Faint	Average residence, normal private office
30	Faint	Recording studio, quiet conversation
20	Very Faint	Whisper, empty theater, ticking of watch
10	Very Faint	Threshold of good hearing
0		Threshold of excellent youthful hearing

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

### **Winter Village with Multi Season Eco-Tourism**

### **Plan and Concept**

#### **History and Position to Date**

Big Salmon Ventures LLC was incorporated in the fall of 2006. Its intent was to hold real estate that would prove advantageous to the dreams and aspirations of its members while fulfilling a need to keep properties in trust for future developments.

In 2007 Big Salmon acquired 30 acres from the Dave Ward. This property was the first acquisition of property in the valley that would help its members successfully build a commercial complex of private property to cater to ecofriendly adventure clients.

Since inception, only 9 acres of the original 30 has been short platted and sold to other private owners. Most of which are aware and support every aspect of the Winter Village and associated heliport for winter use. The remaining properties have been platted in design to help support the evolution and growth of this area into a hub for winter and summer commercial recreation.

S.E.A.B.A. LLC stands for Southeast Alaska Backcountry Adventures. We are a Limited Liability Corporation formed to provide a variety of outdoor excursions centered on Haines, Alaska. Scott Sundberg formed SEABA in 2002.

Scott has 20 years' experience with the adventure travel industry, in the state of Alaska, especially in the fields of wilderness excursions and mechanized skiing.

SEABA since then has absorbed two new partners from Montana, Nic Trimble and Ben Anderson. Mr. Trimble has provided substantial equity contributions with the addition of 2 Pisten Bully snow cats to SEABA's list of business property. He also bring a wealth of knowledge of snow-cat and snowmobile operations from his 20 years behind the wheel beginning in Colorado and ending as a director of the Montana Snow Cat Club out of Missoula Montana.

Mr. Anderson's contribution of additional capital to SEABA's current balance sheet that has allowed us to finish a snow cat shop and maintenance facility. This facility is approximately 1200 square feet of heated area and 500 sq. feet of covered non heated space. It allows us to maintain our snow cats in a warm heated environment, as well as maintain all of our vehicles and snow machines.

Ben also brings ski patrol experience from Big Sky Montana and some Alaska Heli ski guide experience to assume a direct involvement with operations.

SEABA has also recently renewed two permits, one issued by Haines Borough for heliskiing on 220,000 acres, snow cat operations, guided snow mobile, and guided backcountry ski trips. The other permit from the State of Alaska, Division of Forestry, to provide snow cat and snowmobile tours on 3800 acres of state forest lands. These state permits are good through May 2018 and can be renewed up to five years. The combination of the partners, assets, location of permits, a prime market, and our experience has created a unique situation for the further development of winter based commercial recreation in Haines.

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

We are also very excited about introducing properties with remote cabins that will allow us to step into the eco-tourism industry, by providing independent overnight tours throughout the year for activities like hunting, fishing, wildlife viewing, snowmobiling, and heliskiing excursions.

### Mission Statement

Our mission statement is simple; provide unique, catered multi-season Alaskan experiences without diluting the nature of Alaska. We believe that the independent traveler not only wants to see Alaska, but they want to experience it first hand in the company of experienced guides. We try to let Alaska do all of the entertaining while we provide expert logistics and safety. This would include comfortable Alaskan style accommodation custom tailored to the activities being experienced.

In the true form of ecotourism, we also want to provide tourism to local areas having unspoiled natural resources, with minimal impact on the environment being a primary concern.

### Business Structure

SEABA is currently are a LLC formed under the Alaska Department of Commerce. Nicholas Trimble and Scott Sundberg, (principles at SEABA) formed Big Salmon Ventures LLC for the lodging and commercial services facilities. This was to allow for dilution of liability among investors. By creating these two entities, we wanted separate the guiding company from the property ownership..

The LLC has managers in place run daily operations for each company. Amendment to the Articles of Incorporation, an addition of an operating agreement will clearly define all business practices and structuring. It will also include buy sell agreements between original members and managers, and will define a base share value for the agreement. This will help delineate between liability in case of judgments handed down or death of a member.

### Management Team

The management team is made up of owners/managers. This management practice is accurate and proper facilitation of the mission statement. All managers under the LLC have adequate knowledge and experience in the business we are providing. The LLC will be consistently trying to revise and adjust to the market demands as well as adjusting to important business practices and community involvement that can help the companies succeed.

### Products and Services

Our products and services are finite but our intent is to expand to multiple seasons. The development of summer and fall activities, will occur within the first year; some summer activities starting in the late May of 2014. Since the idea is to utilize a business model that is mostly based on reservations and exclusivity we will need a very wide range of products and services rendered. Activities will be limited by season, but with the proper marketing, and utilization of skills, resources, and alliances pertaining to each season we believe that the over all products will remain high in quality and more easily facilitated.

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

The following is a list of activities we have looked at offered based on the season:

### Winter Dec 22nd- May 3rd:

Heliskiing and snow cat skiing revolving on a seven-day schedule. This will allow for enough time to enjoy the products offered and reflect the average vacation time at the national level. It will also provide adequate time for planning and implementation of tours. On open booking policy is difficult to plan on, especially with high-end tours like snow cats skiing and Heliskiing. The snow cat will also provide services to local and regional clients not purchasing a seven day package. However, during busy periods of the season, packaged clients will have priority.

The winter-based tours will also include activities for families that have members that do not partake in helicopter-based excursions. These will be an option for families and friends wishing to vacation together. Other activities will include snow cat based backcountry touring, snow shoeing, and groomed trails for Nordic and cross-country skiing.

At the village area next to the main lodge to the east, a small but capable slope will have short rope tow or magic carpet lift that will be available to lodge guest and the community for instructional development for skiing and snowboarding. This is only an entry level piece of infrastructure, but is essential in helping develop skiing and snowboarding skills in our local youth. The ideal age would be around 3-8 years old.

SEABA will add more snow machines to our existing fleet of 4 snowmobiles for snowmobile rentals and tours destined for multiuse areas through a University of Alaska easement east of Big Salmon Ventures property. These tours will target adults and be curtailed for group expectation.

We provide our own service and maintenance but these positions skilled mechanical and snowmobile guide positions will need to be staffed.

Our hope is to recruit younger interested employees from the local residents.

### WINTER ACTIVITIES

- » Dogsledding (enlist local mushers)
  - » Snowshoeing
    - » Wildlife viewing
    - » Cross country skiing
  - » Skating (25 mile pond)
- » Ice fishing (Mosquito and Chilkat Lakes)
- » Ice climbing
  - » Ice carving (introduce Festival of Ice)
    - » Horse drawn sleighs (contracted)
    - » Horseback riding (contracted)
  - » Snowmobiling
  - » Northern lights viewing
- » Sporting clays (emphasis in proper gun handling and will be location specific)
  - » Zip trekking (Tree top and canopy course set on property)
    - » Mountain climbing/ Alpine hiking (staged from snow cat mountain)
    - » Helicopter supported activities (including heli-skiing)

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

### Summer June 1st -September 15<sup>th</sup>:

This is an extremely well visited time of year. Nearly 140,000 tourists come through Haines during this season. The excursion list open to them is very expansive and can either be provided by us or contracted out to existing outfitters that are already in business in the valley. Contracting will be done in the event that we are not in a financial position to absorb the necessary equipment to provide the excursion.

As a resident and close friend of many of the excursion operators, we believe that as long as the quality of the outfitters excursion remain high and acceptable to our standards utilizing this resource will dramatically reduce our initial capital outlay, increase our time to startup, develop good working relations, provide political support among community members, and increase our success. I will also allow us to concentrate our guiding efforts during the winter and fall seasons in which more product and services are needed.

The excursions that are currently available are: river rafting, jet boat tours, natural and culture exploration, saltwater and freshwater sport fishing, sea kayaking, mountain biking, rock climbing, wildlife viewing, and wildlife zoo tours. Several of these tours could be better developed to suit our needs, mainly specialization and exclusive use.

For example, fresh water fishing is not done from a guided boat. There are no drop of and pick up opportunities for those wishing to get into the prime fishing spots. Also lacking is the range of mountain bike tours. Currently only rentals and pavement only tours are utilized. Most flat-water rafting excursions are done on a scheduled basis with cruise ship itineraries. This does not provide the opportunity to see wildlife by float at the most probable viewing times of the day, early morning, and late afternoon. These types of example excursions point to a specialty market. We can improve existing tours and increase quality with a multi day exclusive resort. We gain the commodities of time and convenience over limited trip duration by having our lodge clientele. Those using our services from cruise ships or other short duration trips will help our cash flow by having consistent patronage on certain summer excursion, like canoeing or rafting while viewing wildlife.

Another large part of the Eco tour concept we are working towards is the development of downhill mountain biking trails within the Haines State Forest. SEABA currently has bonding and a Land Use Permit allowing for activities inside the Haines State Forest. SEABA intends to work with the State of Alaska and the University Lands to help create an extensive network of trails that allow the development of downhill and cross-country mountain biking. These trails are generally less than 6 feet wide and use all natural materials on location or other products. Existing state forest logging roads will provide for access to over 40 miles of existing trails that start ½ mile from the lodge and extend climb up to a top elevation 1600 feet in elevation.

# Big Salmon Ventures LLC / SEABA LLC Haines, Alaska



Downhill mountain biking has been a large growth industry over multiple continents for the last decade and is easily enjoyed by multiple age groups. SEABA would like to use existing trail infrastructure to attract and utilize this eco tour, while building specialty trails to accommodate specific markets. The tour is centered around health and with the Chilkat Valley's scenery as a major attraction, along with up highway weather conditions this will attract clients to the valley.

Trails will be specific to use, downhill bikes on downhill trails and existing state forest roads, and cross country and general use trails available for these specific uses.

Other growth activities could include:

- » Horseback tours
  - » Rafting and River and lake canoeing
- » Kayaking
  - » Hiking
- » Gold panning
  - » River Boat tours (contracted)
- » Midnight Sun/Solstice cultural experience
  - Aboriginal artisan activities

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

### Fall September 15-November 15th:

This period of time in Alaska is when we see the most wildlife, experience the best fishing, and watch nature prepare for winter. Three particular activities become apparent during this time of year.

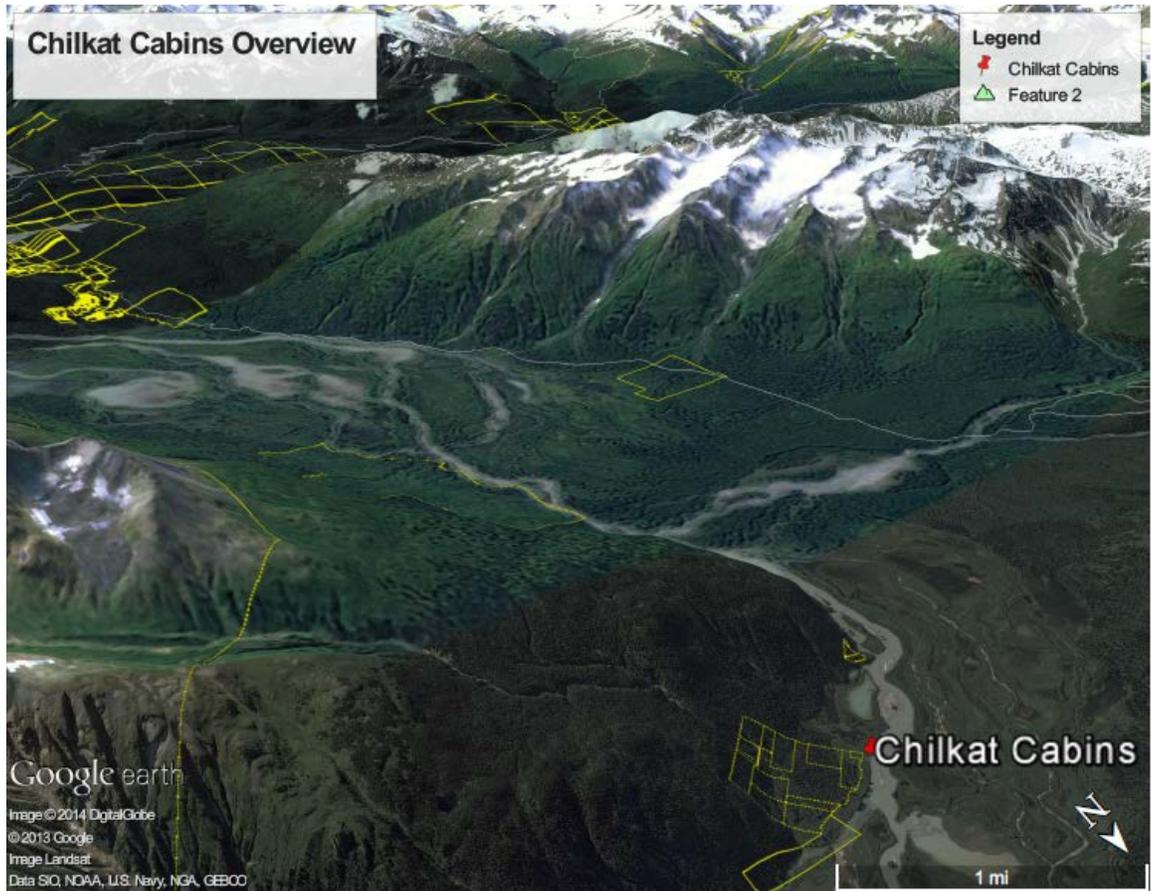
The first is the most prominent and easily marketed. This is the Chilkat Bald Eagle Congregation. Every year 3,000 plus Bald Eagles converge on the Chilkat Valley to feed on continuing spawning runs of Silver Salmon. The rivers that flow through the valley are very special. Effluent flow or upwelling creates warmer water, that keeps the water not only from freezing but it generates adequate volumes to allow salmon to spawn all the way into winter. These eagles concentrated between highway mile 33 and mile 9 in Haines allow for some of the most spectacular eagle viewing opportunities in the world.

Haines hosts the annual Chilkat Bald Eagle Festival every year in the second week of November. This attracts over 300 visitors during the darkest, wettest months of the year. We believe that this is another key component to our success. The other factor is that the primary viewing grounds are in the proximity of the Lodge, so clients will not have to be bussed extensively to viewing areas.

We also believe that with our own marketing and key lodging properties, we can attract people to a packaged product. By providing lodging to these ornithologists while they photograph and film these magnificent birds will even out our season. We project in a 21½ month period 150-175 people staying at our facilities a minimum of three days each. While they are here they can enjoy the amenities of the lodge, while being centrally located in the heart of the Chilkat Bald Eagle preserve.

Bird watching in the U.S has surpassed hunting in total numbers of participants in the U.S. Bird watchers; also enjoy other wildlife, making them a perfect target market. Almost all ages can do it with out special skills and equipment. We would provide lodging, camera, and guide assistance, as well river access by float to our clients. Big Salmon ventures property is centrally located at highway mile 26 within the Chilkat Bald Eagle Preserve is ½ mile from the river put in. (see Little Salmon Map) Our other property is in the heart of the Chilkat River area, remotely located 15 boat miles upstream from the Wells Bridge. (See Chilkat Cabins Map) These two properties give us direct access to the Eagles and the salmon that they eat.

# Big Salmon Ventures LLC / SEABA LLC Haines, Alaska



Bald Eagles begin their annual migration from as far away as Washington and Oregon in late August, beginning to arrive in the beginning of September. This is a product that cannot be matched anywhere in the world. Eagles are everywhere; eating salmon right in front of you, and if you stay long enough, you can watch bears do the same as they prepare for winter.

The second is the access to Pacific Salmon; Coho, Chinook, Sockeye, Chum Salmon, along with Cutthroat trout, and Dolly Varden. These fish are in the clear water tributaries within the Chilkat Bald Eagle Preserve. Yukon residents annually traveled to Haines to fish, while less than 5% utilized rafts and other vessels to explore the river. Mostly locals and very adventurous do-it-yourself types from Canada and Southeast Alaska enjoy exclusive use of the river. Here we can provide not only freshwater fishing for Pacific Salmon and associated species, but offer bear and wildlife watching, and of course the constant presence of the Bald Eagles.

A spawning stream, Little Salmon River, which buffers our 20 acres, provides salmon for brown and some black bear. We can design and facilitate safe and comfortable bear viewing on our property and potentially state properties surrounding our property to enjoy all wildlife viewing possible.

And the final fall activity would be associated with local hunting guides, would be to generate local bear and Mountain Goat hunts from our facilities. This is a small but important and historical part of our economy in Haines. Currently 2 outfitters are registered and permitted to hunt in our valley. Through a competitive process Big Salmon can attract hunters to these permits using our multiple facilities to host them while they are here hunting. These important fall activities

# Big Salmon Ventures LLC / SEABA LLC Haines, Alaska

can fill in the vital gaps that will help pay for our facilities throughout the winter months, as well as support existing business as we prepare for our winter activities.

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

### Market Research

Our customer base is world wide. Most of the base comes from North America, approximately 60%, the remainder is coming from Europe and other global travel nations. The market has demonstrated that customers who are capable of spending considerable amounts of money on inclusive destinations resorts in all markets will travel to Haines from world wide destinations. Our current business demonstrates that our market is utilized by the affluent population, which spans generations. We have clients from the mid twenties, into their sixties. Even though heliskiing is expensive it is not uncommon for people to spend \$10,000 a week in expenses to enjoy this activity. This generally includes air travel, lodging, food, and services. We currently run \$6500 per week with moderate accommodations, and general hospitality. Add a world class lodge and the market will bear an extra \$3,000-\$3500 dollars.

When we consider our summer and fall markets, package rates will fall in total price and be competitive, but the demand for the lodge will remain steady. We feel that we can also compete with upper end cruise ship pricing for land based Alaskan vacation, with hovers around \$2800 per adult/per week. People book cruises to see Alaska and because it is easy. There is not much thought to it, clients are on the ship with all the entertainment, activities, and good food that you want. We would like to adapt to a similar model, except our ship is huge, the Chilkat Valley.

We need to promote ourselves like a cruise ship, sell to the traveler that wants their vacation planned and packaged with excellent lodging, excursions, and gastronomy. We could after start up invite the inclusive time share resort programs in, like Resort Condominiums International, or Holiday Systems Int. They can sell the down weeks that we can't sell through our own marketing. We have also considered selling timeshare ownership prior to construction. This would help alleviate immediate cash flow and investment strains.

In recognition of our products and services offered our customers should feel that the convenience of an inclusive world class lodge in Alaska is unique. This special region with well developed attractions and activities is well worth the price of a cruise or other destination resort. The Alaska Travel Industry Association reports that the age of independent tourist is slightly decreasing, becoming more financially independent, and looking for more adventurous excursions in wilderness setting while they are visiting. This sets up Haines to be a perfect destination to provide this need in the travel market.

In fact 25% of the demand in Alaska excursion is wildlife viewing, or being close to the wilderness to experience the boundless wildness of Alaska. This is the same percentage for winter as well as summer.

### Customer Sensitivities

Sensitivities in the market include convenience, safety, quality of accommodations, and hospitality. All of these things are generally expected out of a business in the travel industry; however, with the potential level of affluence, when all of these are satisfactorily met, it qualifies the provider with a solid reputation that will increase demand for the product along with steady rates of return clientele and the most direct marketing which is word of mouth referral.

### Competition

Alaska has a unique product and many regions in which traveler can enjoy its offerings. With a world class lodge that is focused at developing multi season excursion and attractions, we

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feel that we have an edge over our competition. Most existing lodges in the state are designed with one season; whether this is fishing, heliskiing, land based excursions, or wildlife viewing. We can develop at least three seasons and completely extend and create a different type of market that will make our product unique. Based on this we feel that yes, people will still use and utilizes other operators around the state, but because of unique setting and product we can maintain a steady flow of customers and create a better margin of return since our facilities will be booked through multiple seasons. This reduces down time and increases steady cash flow.

The most important thought to consider with competition, is that Alaska is an emerging heliski and adventure tourism market. It is still growing and expanding. We seek to take more of the market. For instance, the British Columbia Heliski and Snowcat Operators Association reports over \$125,000,000 in gross revenues for winter recreation in B.C. In Alaska operators are generating gross profits at \$7-8,000,000 .as and an industry whole, we want to grab at least 12-18% more of this market and other summer recreational markets over the next ten years.

Our efforts are helped by an increase in Alaska Tourism Advertisement funding by the state,(up to \$23 million for advertisement funded by the state of Alaska through the Department of Economic Development) turning many heads towards our region. The world is starting to look for many reasons.

Chugach Powder Guides situated in Girdwood Alaska, Valdez Heliski Guides, and Rendezvous Heli Guides in Thompson pass are the only heliski outfit in the state with their own lodge. This means that they have facilities on site.

Tordrillo Mountain Lodge, (previously of CPG) just acquired it own heli lodge in the Tordrillo Range, which is west of Anchorage. It is one of the farthest North Heliski operations, besides Greenland, in the world. It can accommodate only 16 people at its current size, and because of weather extremes it probably will only run 6 week a year, until it moves into it summer fishing services. It has very little down day activities for weather days, and is remote. Rates for this are around \$10,500 for a week.

CPG clients mainly utilize Alyeska Prince Resort in Girdwood. Prices for the 2013-2014 season are package rates starting at \$7500-\$9300 for 100,000 vertical with accommodations, and food.

Alaska Rendezvous Heli Guides is stationed out of 58 mile in Thompson Pass. This operation is outside of Valdez can accommodate up to 24 clients and has few down day activities. The operations are remote but quaint. The lodge is a refurbished older facility, but provides good services. Their prices range from public lifts for \$125 per run to \$3700 per hour of Hobbs with a 2.5 min/day contract. This equates to a 10 hour min per week at \$3700/hr = \$37000 plus lodging. Prices are similar throughout the Alaskan industry, and are roughly around \$8400 a week for semi-private heliski service.

If we look at the entire industry there is a need for lodging at most operations through out the state. This is the only way we are going to redirect that massive influx of return clients to Canada. Most clientele have grown accustom to this environment while they heliski. The nicer the better demonstrated by Canadian Mountain Holidays, Last Frontier Heliskiing, Mica Creek Heli Guides, Bella Coola, and Mike Weigle. We feel that our needs are targeting new, comfortable and tasteful with implementing newer design that take advantage of solar and passive heat pump technologies. Both of these would help create savings, but also lend themselves to the new culture of green building which customers want to support.

The lodging generally represents 15%-20% of weekly costs. This is \$1275-\$1500 per person/week. If we are servicing 20 clients/week (20% vacancy) in these lodges for 10 weeks at comparable rates, creates great cash flow

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

We recognize that our add-ons excursion clients and independent travelers over the summer and fall, will generate a demand for accommodations as well, possibly creating an 60-70% occupancy rate, averaged over the 7 month of operations.

### Winter Village Concept

A crucial part of the products offered by SEABA begins with the construction a functional and attractive series of buildings that is located near or at the site of adventure. These facilities would be the mother ship of the operation, coupled with our remote up river Chilkat River Cabins,(see map) clients will have more adventure options and feel catered to.

The essential idea behind having multiple buildings that are all architecturally similar to each other is to create a village atmosphere. We want the clients to feel that he is in an atmosphere that corresponds to their overall experience. These buildings would include a main lodge capable of sleeping 8-16 people, and two satellite buildings that sleep a maximum of 5 each. Our concept on full build out will also include a year round greenhouse, two covered and screened in viewing platforms on the edges of the property to view wildlife that moves though the Little Salmon drainage, and exercise studio designed for yoga, Pilates, Zumba, and Circuit training for a group of 20.

The expense of constructing this facility is the biggest outlay of capital that we are preparing this plan for. We assume that the Village and the equity derived from the facility once built will help establish long term stability for the business. Excursions will provide for part of the cash flow but the lodge will be the central attraction to the market we are targeting. Most affluent independent travelers do not want to be troubled with the hassles of making their vacation work. This has been part of the success and popularity in the growth of fractional ownership models, inclusive resorts, and cruise ships.

The Main lodge and the two satellite buildings are designed to reflect the needs and size of our customers that we are prepared to cater to. This would be the Heliskiing and Snow cat market. Heliskiing and snow cat skiing often happen in groups of 4 and twelve respectfully. Thus having at least a 12-16 room facility, with double occupancy as the original base will provide us with good ergonomics and group absorption. It will also allow us to apply for and acquire on site liquor license for the premises. This is another product that will increase our market and cash flow in the mid development stages of the business.

Other additions to the lodge are a dining facility for groups of twenty-four, capable of expanding for overflow, a commercial kitchen, and utility rooms. In addition to these rooms there is typically a central or communal room in which people can gather to enjoy the company of others. Often this is the combination of the dining, bar and grand room, a showpiece with views of surrounding ski terrain and nature.

Through out design and development of the facility we can consider additions that allow for in house services, massage therapy, spa, and other amenities that are expected with this type of facility. We have planned for cost of the main lodge to run around \$275-\$350 sq/ft. The lodge design should be attractive, unique, and of newer building technologies and practices that are green and lend itself to travelers that wish to just enjoy the lodge based on availability.

Most importantly though the Haines Tourism Management Plan that was put together by the McDowell Group in 2002 sites Haines lodging market as adequate but it references several priorities for improvement.

# Big Salmon Ventures LLC / SEABA LLC

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"Haines lacks hotel amenities that some higher end Alaskan travelers seek such as restaurants, lounges, workout rooms or spas. The quality of the available facilities tends to vary considerably."

Haines needs a higher end option to compliment its existing tourism infrastructure. The present state of new and competitive accommodations in Haines is low. Haines has lost 40 beds from the Thunderbird Motel being torn down in 2011, and the Eagles Nest motel going to season and annual rentals.

The only real growth has been in the smaller two and three bedroom B n B's and one small lodge on that is communal in style and sleeps 16 near Mosquito lake.

The other supporting concept for the creation of the village is that there will be surrounding properties that will be available for sale that can accommodate the needs of the clients or local residents. We feel that the area is very capable of supporting new growth and services, but it must be built around the village concept. Without the construction of the village, the growth in adventure tourism linked to the area, and the conditional heliport, there probably be little growth in this area.

We feel that now more than ever is the time to add a new and refreshing product to the Haines economy that will last for generations to come.

The Village and SEABA's offerings will embody

The three main principles of eco-tourism: 1) protect and conserve nature

2) Benefit local communities through outreach and education programs

3) Incorporate interpretive programs to educate tourists and employees.

We see the Village as a community building project that will help grow the economy in Haines and the Upper part of the Chilkat Valley.

## **Business Strategy**

### **Pricing Policy**

Pricing will be in line with other Heliski operations in Alaska. Prices will reflect demand of the product as well as the quality of the product. Currently we feel that there are 4 other heliski operators in the state that can guarantee as much skiing as we can and are competitive with the number of skier days. If we can provide people with skiing, regardless of the weather, than we can price accordingly, and get more for this offering.

Summer pricing will have to compete with other markets, for example if we offer an excursion onboard a cruise ship, then our pricing must be competitive with other similar excursions .Pricing would also be in line with market demand for local tour pricing. However, we are confident that one of the few products we will offer to the cruise industry will be unique in character and can carry its own market. Otherwise we will serve the summer based excursion clients that are staying with us.

### **Advertising and Promotion**

Advertising efforts are fulfilled for the heliski industry. Haines is well known in this small but active market. The ski and snowboard film industries have been promoting Haines for the past ten years. We have watched as demand for services and product has gone up 300% in ten years. SEABA actually has to turn clients away during certain periods of the prime skiing season,

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

because of the availability and limited skier day. It is our hope to allow more options for our clients, so they will utilize our services through mid winter as well. Currently late winter/ early spring Feb-April 30<sup>th</sup>, has been the most reliable for the heliski clientele. Now that we can back up those clients with cat skiing, we know that they are booking earlier in the season, spreading out the demand.

There is several options for us to get our product out there to the right markets. Our competition utilizes, as we have, ski shows during the fall months to make a presence in this industry, there are approximately five shows available, on the west and east coasts, including one in Denver. To attend all of them would be difficult.

We have developed a state of the art web site with ranking profiling to help assist our current word of social network campaigns, on Face Book and Instagram. Many clients and their friends follow the conditions and skiing and activities of their friends. This is the most amicable and comfortable way to sell trip to current clients' acquaintances. We feel that by have high hit volume followed up worth great content helps sell our spots. They will do this even a few days out from them booking because of posts they see.

The other option is one we have been working on for a few years. This involves spending around \$15,000 to get advertisement with Warren Miller Entertainment. They reach a very large audience that accesses this market. Median age is 30 years, with 63% between 25-55 years of age. The High household income is \$75,000, and their median runs at \$62,501. The significant part is that 75% return to watch year after year. This is an ideal tool to focus on an ideal market. That is why cost money to host them is. However, if we are to compare, a half page add in a popular ski magazine is roughly \$3800. Multiply this by 4 issues and two periodicals and you are at about the same price, without the exposure.

This is on old style that works, however we feel that our demand is being serviced from the social networks and word of mouth audience. The expenditure above would only be to showcase perhaps new offerings, or pitch to a non face book market.

Advertising in ski and snowboard journals for winter, and travel and adventure magazines for summer is an obvious method. However for summer, we also have an option of utilizing a group called Watchable Wildlife. ( [www.watchablewildlife.org](http://www.watchablewildlife.org) ) This club organization is a 501 c non-profit that has exchanged board members with the American Bald Eagle Foundation in Haines.( [www.baldeaglefestival.org](http://www.baldeaglefestival.org) ) The foundation is responsible for the development of the Chilkat Bald Eagle Festival held first weekend in November and other events surrounding the Chilkat Bald Eagle and associated wildlife. The membership of this organization is in the millions nation wide. We could potentially access the their database of bird and wildlife enthusiasts, sending them info on our programs and how they can participate and help the foundation increase the attendance of the Bald Eagle Festival, now in its 19<sup>th</sup> year.

Wildlife viewing is the number one growth industry in the world. 2013 ATIA surveys conclude that the largest target markets are comprised of families with children that want an opportunity to see wildlife; to dedicated and adventurous retirees that have time and money to enjoy these types of activities.

This is also an opportunity to develop bear viewing on our property on the little Salmon which runs through the southwest section of the 20 acres we currently own. This type of wildlife enhancement will earn us recognition with this internationally recognized organization Watchable Wildlife.

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

### **Location**

Haines is located at the upper end of Lynn Canal in Southeastern Alaska. It is sandwiched between the cold glacially forged waterways of the Inside Passage, the Canadian border to the north, and the Glacier Bay National Monument to the south. It has an advantageous layout, as Haines sits on a south facing peninsula where several valleys connect. The Chilkat Valley runs east to west and allows for more sun to breach the mountains during the winter. This increases our sunlight and temperatures slightly during our winters.

The community of Haines lies 92 air miles north of Juneau, just a 35 minute ride by commuter plane, and is 4 hours by vehicle from Whitehorse, Yukon. The Whitehorse airport services flights from Frankfurt Germany, which some of our clients utilize often.

You can see in the maps attached explaining our property locations how the valley is laid out, and how our properties are located comparatively.

### **Operations**

#### **Sales and Sales Management**

Sales are managed by phone, correspondence through the post, through internet sales and email correspondence. We currently have a downtown office for regional and local convenience. We have a local storefront for soft goods sales and quite possibly an online store by the summer of 2014. This will enable us to hit more consumers and provide another avenue for sales from previous clients and their friends before or after their trip.

Sales management will be coupled by one of the LLC members monitoring and making sure inventory and reservations are done properly. This involves booking clients after deposits are received, as well as keeping up with sales on the web site.

In a sales effort, once our lodge is conceptually drawn and we have financial support for construction, we intend to disperse our sales team of skiers and boarders to western state ski areas that are affluent and active in heliskiing. This would include Seattle WA, Lake Tahoe, CA, Whitefish, MT, Big Sky, MT, Yellowstone Club, MT, Aspen, CO, Sun Valley, Idaho, and Jackson Hole Wyoming. All of these places align with target markets, and have adequately skilled skiers to purchase packages. We intend to set up a program with the marketing team at these resorts. Having a presence in these areas helps make the sale. The team would consist of guides working for the company that may not winter in Haines, and other marketing managers, that can effectively arrive and help host at these venues.

Seasonally, we will create on location tours with owners and lead guides. Regional hot spots would host functions, like meet and greets to entertain and facilitate bookings with a warm friendly feel.

We have started to reach out to clients in this way by hosting in association with Stellar Media Group an Alaska King Crab Feed and Disc Golf Tournament in Stinson Beach CA. It was successful and over half of the 40 attendees are skiing with SEABA this season.

#### **Staffing**

SEABA is essentially a guiding/ outfitter. There has been a large progression towards development of individual skills for people enjoying the backcountry. Because of this the market for skilled employees in this area is significant. Not only this, but many guides are multi faceted in talents, they are seasonal, transient to the locations that provide jobs for them during certain times of year. We get roughly ten employment requests per heliski season. We recruit

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experienced guides as well as putting new guides that apprentice with us that are willing to take the time and learn the essential skills needed.

Our turnover is very low and we do hire new when needed or as we grow.

We are planning to bring this school in house this year, so it focuses more on our snowcat skiing as well. Some make the cut and others don't. Employment demands that they are adequately skilled in medical, backcountry travel, communications and avalanche forecasting. They obviously need to be talented skiers, but need to work well under pressure, remain calm and collected and have an excellent grasp of the local area and the runs that we have developed.

The growth of staff the summer excursions has already been filled for the early stage of introduction, but as we grow we are developing locals that have expressed either a desire to work in the fields associated with summer tourism or we have experienced individuals who can come run a successful and high quality excursion or program in association with SEABA.

We will also employ drivers, chefs for private catering, janitorial by contract, and dispatchers for our communications with our winter helicopter excursions.

Currently SEABA has an annual payroll of \$148,000. This payroll represents company principles, sub contractors, and part time and full time season help.

Big Salmon Ventures forecast a payroll of \$275,000 when the first stage of the lodge is complete( this does not include construction payroll)., BSV's and SEABA's combined payroll projections would be \$428,000, this would include the greenhouse and horticultural facilities to support the lodge, 5-7 full time positions and 12-20 seasonal jobs open 9 months a year combined.

## Investment and Return Forecast

Big Salmon Ventures and SEABA LLC has an interest in developing a joint venture. We are looking for a small group of investors that understands potential business returns are healthy, but are more focused at developing a lifestyle business in a community that has much potential. A project like this is a great stepping stone for other financial grossing ventures in Haines once this is off the ground. It is a business that will be equitable in its real-estate holdings, and coupled with a successful local business should see 30-50% return within 5 years, with a payout of 85% in 10. We forecast that the cumulative worth of an exclusive lodge with spa, entertainment and retail facilities, 24 beds, village atmosphere, exceptional architecture, landscaping on 20 acres with permits and turn key operation to be valued around \$5,500,000 in 5 years.

Our investors are able to provide adequate funding initially for the lodge construction. This could be a total of \$2,800,000 over the next 3 years. This would finance all of the facilities and land development in stage one.

For the growth of the Village concept beyond stage one, and to take this to its final build out we would need another 1.6 million in other infrastructure and hard costs. These are to expand the retail and activity oriented structures needed to support the plan. This would include 4 more satellite cabins for personal enjoyment or commercial rental, boardwalks connecting a central retail facility, and wildlife viewing platforms.

Payroll and local expenditures on skilled labor and materials during construction of stage 1 would be around 1.6 million over the course of construction. It is BSV intent to keep as much of the money local as possible to help reinforce the green build philosophy.

SEABA LLC would lease out the lodge and fill the rooms both in the interim and after construction completion. SEABA would also be responsible for the investment in excursion hard

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costs, as well as the maintenance of the heliport, other winter and summer oriented structures. SEABA would own and operate all facets related to guiding clients. The managers of Big Salmon Ventures would also provide construction support, as they are residents of Haines, and have experience in construction development.

### **Executive Summary**

Winter recreation in Haines, Alaska has always been a part of the local culture. Long but mild winters encourage many winter enthusiasts, both locals and visitors to enjoy snowmobiling, cross-country skiing, downhill skiing, snowboarding and snowshoeing. All of these activities are supported by adequate and steady snow. These activities are also enjoyed because of relatively mild winters, average temps in the high teens to low 20's and longer daylight hours than other northern latitude destinations like Alyeska, Alaska. As the skiing, snowboarding, and snowmobile technologies have increased so has the demand for motorized lifts that can help these enthusiasts' access new slopes where they can enjoy their activity.

Haines also is second in the state for wildlife viewing in Alaska\*, and is noted by Outside Magazine as one of the top 20 places to live\*, for its unbelievable beauty and access to Alaska. Haines has one large cruise ship dock, and it receives approximately 96,000 visitors a year, 40% of which are cruise passengers, while fall/winter/spring visitation is around 5,000 per year.\*

Southeast Alaska Backcountry Adventures, SEABA, has been in business for 10 years bringing skiers and snowboarders to the Chilkat Valley to enjoy winter sports. SEABA accesses terrain by use of helicopter, ski plane, snow-cat, and most recently snow mobile. We also have been working as a booking agent and marketer for other excursion companies in the valley. This has provided us a chance to develop better business relations with existing companies.

Over the last 10 years good market development has occurred through the production of ski and snowboard movies. Photographic journalism, the exclusive use of industry professionals, and corporate branding in conjunction with veteran skiers/boarders has developed Haines as a winter sports destination. This market is favorably compared to Valdez, which has been described as the north shore of skiing. Large volumes of snow, a late skiing season and predictability of snow pack have supported this climb in rider ship and recognition. The demand and type of skier has shifted dramatically since the onset in 1992. For example these shifts include a skier base of 200 expert riders per season in Thompson pass in the early 90's to 12 heli operations statewide with a skier base of over 6000 in 18 years.\* SEABA has been actively improving market exposure and share in Haines for the last 10 years.

Although we have seen adequate improvement in rider-ship, we are challenged with rising cost of insurance, fuel and other costs of doing business. The original business model of using existing lodging, (hotels, motels, and converted houses) has prohibited some of the more affluent and target market travelers. Also, the major cash flow associated with destination skiing and recreational activities is linked to lodging. One constant is that all of the enthusiasts need accommodations and they are an integral part of the experience. Not only do skiing enthusiasts

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Annual summary by Alaska Travel Industry Association 2003

\* Outside Magazine August 04

\* Haines Tourism Management plan 2002

\* US Heliski Association. 2012

# Big Salmon Ventures LLC / SEABA LLC

## Haines, Alaska

pick Alaska for its snow and terrain qualities, they choose it because of its mystic and elemental natural flare. SEABA has tried to mitigate these stressful points by renting historical accommodations and providing transportation to and from activities. However, the fact that rent and lease monies are not recoverable makes the long-term model inconsistent and non-successful while we still attempt to maintain adequate cash flow for off-season payments.

SEABA and BSV member Nicholas Trimble Purchased the Fort Seward Lodge to adjust to the desired market. A vast array of improvements to this old historical building over the last 7 years has led to a little bit of respite and insight into our business plan. However, because of the sheer numbers of people that we could accommodate based on historical performance evaluations the Fort Seward is not large enough nor does it have the zoning or structural ability to grow beyond 16 beds without major renovation.

Alaska is one of the world's last great frontiers; its beauty, wildlife, and cultures attract people from all over the world. Winter activities including skiing are one of the ways that can increase the visitation to Haines. To look to the future we project an 8-month season beginning in February and ending in November. During this crucial economic period we can provide activities ranging from winter recreation, wildlife viewing, sport fishing, historical and cultural exploration, gold panning, and trophy bear and Mt Goat hunts. The activities are endless. Haines lacks on location lodging that can compete with global competition and accommodate clients participating in these activities. Consistently people reach Haines, enjoy its activities but come away with the feeling that the overall experience could have been better because of the lack of tasteful lodging with inclusive amenities'. I have had several clients tell me they would utilize our services more often if we, Haines, had better accommodations.

We have seen through other similar operations in British Columbia and Alaska that lodging is the foundation for the experience. Excursions are the attraction, but lodging is vital base to the long-term economic stability and reputation of the product. It also provides a working base for the experience of a lifetime for our clients. We are preparing this document in to find other investors for a joint venture to build a variety of lodging and retail space on the 20 acres of prime property that we currently own. We wish to have an all inclusive destination resort that brings Alaska right to the client. We want the experience to be as pain free as possible and provide value added experiences while they enjoy a vast list of activities during their stay.

Big Salmon Ventures LLC / SEABA LLC  
Haines, Alaska



① KITCHEN TO GREAT ROOM - CABIN VIEW

NTS



② VIEW TO MAIN LODGE FROM CABIN

NTS



③ VIEW TO MAIN LODGE FROM CABIN

NTS



④ MAIN LODGE GREAT ROOM AND FIREPLACE

NTS



⑤ MAIN LODGE LOFT VIEW TO GAME ROOM

NTS



⑥ MAIN LODGE OUTDOOR LOUNGE AT FIREPITS

NTS

**PROJECT INFORMATION**

MAIN LODGE - 4,000SF  
 GOURMET KITCHEN  
 DINING ROOM FOR 16  
 7-10 BEDROOMS PER OPTIONAL LAYOUTS  
 TWO-STORY GREAT ROOM WITH 8' FIREPLACE  
 GAME ROOM WITH BILLIARDS, POKER, DARTS AND FULL BAR  
 OUTDOOR KITCHEN AND BUILT-IN DINING  
 COVERED OUTDOOR LOUNGE WITH BUILT-IN SEATING AND FIREPITS

CABINS - 1,400SF - 1,800SF  
 6 CABINS TOTAL  
 LARGE KITCHENS WITH ISLANDS  
 EXPANSIVE VIEWS FROM KITCHEN, DINING AND GREAT ROOM VIA TWO-STORY WINDOWS  
 3-4 BEDROOMS  
 2 1/2 - 4 BATHS  
 CENTRAL FIREPLACE FOR RADIANT HEAT  
 OPTIONAL DRIVE IN BASEMENT, HOT-TUB, COVERED PORCH

**SHEET INDEX**

A-1 TITLE SHEET, CONCEPTUAL RENDERINGS  
 A-2 PLOT PLAN

DESIGN AND PLANS COPYRIGHT © 2011  
**CAD ESSENCE**  
 Ryan J. Seyfert, Design Consultant  
 374 Tulare St.  
 Brentwood, CA 94513  
 cadessence.com  
 info@cadessence.com  
 408.910.0417

ENGINEER'S SEAL

ARCHITECT'S SEAL

PROJECT CONSULTANTS

PREPARED FOR  
**BIG SALMON VENTURES**  
 PLOT 10 SUNDBERG RD  
 HAINES, AK 99827  
 907.314.0445

REV	DESCRIPTION

JOB: Main Lodge 02  
 DATE: 2/4/2014  
 SCALE: 1/4" = 1'-0" U.N.O.

SHEET TITLE

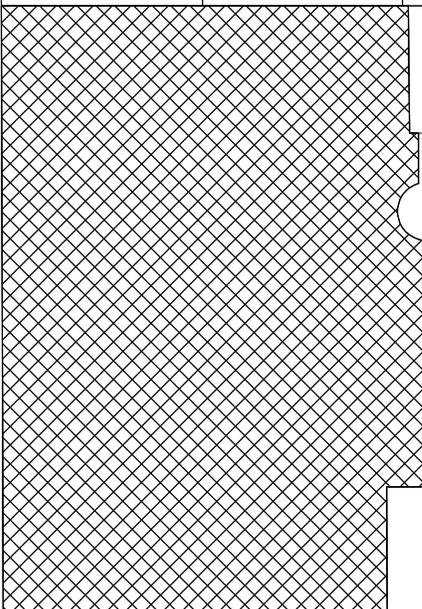
**A-1**



**R3**

# Heliport Conditional Use Permit Public Hearing Feb 13, 2014

*Chilkat Lake Rd*



0 100 200 400 600 800 Feet

# R4



HAINES BOROUGH, ALASKA  
P.O. BOX 1209  
HAINES, AK 99827  
(907) 766-2231 FAX (907) 766-2716

January 29, 2014

«First\_Name» «Last\_Name»  
«Address»  
«City» «State» «Postal\_Code»

Re: Heliport Conditional Use Permit Public Hearing  
Lot 10, Sundberg Subdivision II

Dear Land Owner,

Haines Borough records show that you own property within 200 feet of the above-listed property. The property owner Sundberg has requested for the Planning Commission to approve a conditional use permit to allow the installation of a helipad. The Haines Borough Planning Commission will hold a public hearing on the matter at the next regular Planning Commission meeting. The meeting will be held at 6:30 p.m. at the Haines Borough Assembly Chambers on Thursday February 13. As an owner of property within 200 feet of the above listed property you are being notified that you are invited to attend and comment at the meeting. If you have any questions on the matter please contact the Borough.

Sincerely,

Xi Cui "Tracy"  
Haines Borough Planning and Zoning Technician  
Phone: (907)766-2231 Ext 23  
Fax: (907) 766-2716  
[xcui@haines.ak.us](mailto:xcui@haines.ak.us)

First Name	Last Name	COMPANY	ADDRESS	CITY	STATE	ZIP
BENJAMIN	WILLIAMS	GRETCHEN ROFFLER	13000 FOSTER ROAD	ANCHORAGE	AK	99516
c/o	SUNDBERG	BIG SALMON VENTURES, LLC	BOX 1368	HAINES	AK	99827
c/o SCOTT	SUNDBERG	S.E. AK BACKCOUNTRY ADV.LLC	BOX 1426	HAINES	AK	99827
CHARLES/KANDUS	STRONG	c/o CoreLogic & Senior Exempt	HC 60 BOX 2617	HAINES	AK	99827
CHRISTOPHER	BROOKS		BOX 558	HAINES	AK	99827
GABRIELA	CORONA		P.O. BOX 390	HANA	HI	96713
KEITH P.	KAISER	BONNIE L. KAISER	BOX 1406	HAINES	AK	99827
ROBERT	GOODWIN	TERESE GUE	1616 S.GOLD ST.,STE#9, PMB156	CENTRALIA	WA	98531
ROGER	SCHNABEL	C/O HIGHLAND ESTATES, INC.	HC 60, BOX 4800	HAINES	AK	99827
RUSSELL	TAYLOR	KITTIE MARIE DARIN TAYLOR	504 L STREET	HOQUIAM	WA	98550
TIMOTHY B.	WARD		BOX 208	HAINES	AK	99827
TONY P.	WARD, Trustee	David C.Ward TestamentaryTrust	BOX 667	HAINES	AK	99827

## Chapter 18.50 CONDITIONAL USE

### HBC 18.50.040 Decision.

The commission shall hold a public hearing on the conditional use permit application. The commission may adopt the manager's recommendation on each requirement unless it finds, by a preponderance of the evidence, that the manager's recommendation was in error and states its reasoning for such finding with particularity. In addition, for good cause, the commission may alter the conditions on approval or requirements for guarantees recommended by the manager.

A. Before a conditional use permit is approved, the commission must find that each of the following requirements is met:

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers;
2. The development of the use is such that the value of the adjoining property will not be significantly impaired;
3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;
4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;
5. The granting of the conditional use will not be harmful to the public safety, health or welfare;
6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;
7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;
8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

If the commission finds that the development implements all relevant requirements of this title, it shall issue a conditional use permit and the conditions and requirements shall be part of the approved permit. If the development does not implement all relevant requirements, or the commission otherwise determines the development is not in compliance with this title, the commission shall deny the permit and note with particularity its reasons for the decision.

B. The commission may alter the manager's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:

1. **Development Schedule.** The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. **Use.** The conditions may restrict the use of the development to specific uses indicated in the approval.
3. **Owner's Association.** The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. **Dedications.** The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. **Construction Guarantees.** The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. **Commitment Letter.** The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. **Covenants.** The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. **Design.** The conditions may require the adoption of design standards specific to the use and site.

To: Planning Commission Members

Subject: Conditional Use Permit for SEABA 26 mile Heliport  
Tax ID # -CLR-35-0290  
General Use Zone

Background:

In 2010 SEABA purchased said property with the intent to run a Heliski and Snowcat Operations in conjunction with on site lodging. When the property was purchased heliports were not a conditional use, nor were they defined by title 5 in the Commercial Ski permit, but were a use by right in the GU. Since the ongoing development of the borough tour permit and heliski regulations we have been apprehensive in furthering the development of the heliport until more solidified regulations that are deemed lawful in place. Since then we have been improving the property access and infrastructure to accommodate these intended uses.

In March of 2008 SEABA landed the property for fueling. It was at this point a few Eagle Vista subdivision residents voiced concern over this use. At the time SEABA operating plan had not identified the property as a landing area and we were informed that we would need to change our operating plan through public process to be able to use Big Salmon Property as a heliport.

It was at this point that we were convinced by the borough that the Heli ski tour permit could dictate where we could land and fly, and that we needed to change our operating plan to do this. In the meantime SEABA has been working to develop better winter access and infrastructure to accommodate this use. This is mainly acquiring fuel tanks, a phone line, power, and structure in place to properly utilize the property. All receipts to this date amount to around \$32,000.

Part of the ideal of this property for SEABA is the departure and approach route to the commercial skiing areas, that have been established and utilized flight paths for ten years, are less than 2 miles from the property. Flight paths only cross over state lands, no private lands. *This is the closest property with power and public easement to commercial ski areas*

For SEABA this would insure that properties under these paths would not be hindered in terms of value or disturbance.

In terms of economic development SEABA's purpose is to develop winter industry properties around this site that would add both property tax, and sales/bed tax to the borough coffers. Two properties that were purchased bordering SEABA's land went to an individual that expressed interest in building a commercial shop for heavy equipment to help develop the property and the second piece of property to be developed as a ski in ski out cabin that could be rented to heliski and snow cat enthusiasts. We are also aware of another property that was sold to individuals from Anchorage, that was done with disclosure that SEABA intends to operate the heli and snowcat tours from this property during the winter months. On closing part of the real-estate deal was an included ski trip.

In the last few months the borough has worked towards rewriting the tour permit related to helicopter skiing and provided much new content around this issue.

It was during the November 2010 planning commission meeting that it was agreed that the planning commission advise the Haines borough to amend borough code to make heliports a conditional use in the GU.

SEABA had previously told the borough manager and the borough attorney in a private meeting that we intended to use this developing heliport in our business and it should be considered in this process. SEABA waited for the assembly to adopt the recommendations of the planning committee and to recognize all other existing or developing heliports in the borough. We were led to believe that this would be in line with the adoption of the new commercial ski tour ordinance adoption sometime late winter. We all know at this point that this was not done and that the tour permit was not adopted until 3/22, half way through the heliski season.

Since November a few major factors have increased SEABA's interest in securing this property as the intended use. These factors are the addition of a third operator that will dramatically increase present congestion at existing heliports, increased traffic of current flight paths, and finally the sale of 18 mile, was owned by Bud Stewart now owned by George Campbell. The heliports used by the heliski industry are in flux and by securing property as a heliport, it would secure safe and economical sound operations for SEABA. If we cannot secure this use then much of SEABA's investment into property and infrastructure would be negligible. SEABA's ability to operate safely, with viable operation costs would be decreased significantly. And the overall congestion and our continued use of other heliports would risk the future safety of our clients.

SEABA proposes the following criteria for conditional use for heliskiing support:

1. Hours of operation 9:00 am to 4:30 pm Feb 1<sup>st</sup> thru March 1<sup>st</sup>  
8:00 am -6:00 pm March 1 – April 1  
7:00 am-7:00pm April 1 –May 3<sup>rd</sup> ( this reflects the 30 days of operations over the 8:00 am -6:00pm for filming in the commercial ski permit definitions.)
2. Dates of Operation: February 1<sup>st</sup> thru May 3<sup>rd</sup>
3. Fuel storage will be done in accordance with D.E.C. standards with a fuel spill containment program in place before operations begin:
4. Allowance of emergency use for state and federal response, medical, fire fighting.
5. Specific flight path that will create the least amount of noise and impact to nearby residents. The flight path submitted will be adhered to with GPS tracking and reported. This will be implemented in our voluntary agreement with the borough as per SEABA's Commercial Ski tour permit.
6. Voluntary early shut down of operations for local residents for special events that in which operations would disturb the quality of planned event, 1 per month.

The following are line item responses to code considerations under 18.50.040:

1. The heliport site as explained and can be viewed on the map titled "26 mile approach plan" will show departure and approach to the west of the property. All property to the west and south of 3-CLR-35-0200 belongs to the State of Alaska, including the Haines State Forest and University of Alaska Lands.

A small dividing esker or ridge formed by glaciations helps buffer residents to the east of this property. This ridge is approximately 35 feet in height and would provide a buffer to initial startup and lift off, notably the highest decibel point of sound generation of the aircraft.

The Area has been cleared of excess trees and other hazards that could be a safety risk to the helicopter and its passengers.

2. We have mentioned that adjoining properties have been purchased in recent years with disclosure that a commercial ski business would be operating from the proposed area. Sale prices have averaged above current property values in the area. Purchases in some sales showed interest that this use increased their desire to build there.
3. The size and scale of the use would be similar to 18 mile heliport and 33 mile heli port. We are confident that access for EMS services would not be impaired and that access exists in the form of easements to and from the property.
4. The current comprehensive plan had determined that there are no specific areas identified in the GU that this use does not conform with. The surrounding uses on properties near ours range from rural residents to light industrial, including saw mills, heavy equipment operators and salvage yards.
5. The use proposed is deemed adequate in SEABA's opinion and will not be harmful to the public safety, health and welfare. It is to be understood that the intended use for this property in the GU is very broad and that there are acceptable levels of noise during business hours. It will be argued that other residents also have profound investments also. However, it should be recognized that when those investments were made they were done knowing that the land was purchased and developed for any purpose under no zoning or CCR protections in the GU.
6. There is no significant concern regarding ground or surface water contamination, and that there is no scientific proof that fish will stop spawning in surrounding creeks or wildlife will stop utilizing historic corridors in the immediate area.
7. We have included in our conditional use stipulations that any fuel stored on site will be to standards set by the Department of Environmental Conservation and that there will be a Fuel spills response plan in place during operations to adhere to these standards.
8. We have submitted letters of support in from some of the adjoining property owners and that all other comments must be weighed by the planning commission to determine their full weight in considering this conditional use.

We appreciate your consideration on this matter and if we can answer any questions you might have prior to the meeting we can be reached at 907314 0445 or 766 2009

Thank You  
Scott Sundberg  
GM SEABA

The following communities could be affected by the helicopter skiing proposal:

<u>Community</u>	<u>Areas Affected by</u>
Cooper Landing	Mt. Ascension unit
Girdwood	Girdwood Airstrip staging area
	Glacier-Winner unit
	Bench Complex travel corridor
Hope	None
Moose Pass	Mile 33.2 Gravel Pit staging area
	Mt. Ascension unit
	Moose Creek travel corridor
Seward	Flights to and from Airstrip
Sunrise	West Seattle Creek unit

## Sound

### Measuring Sound in General

The most common unit for measuring sound is the decibel (dB), a logarithmic scale of sound power or intensity. Like the Richter scale used to measure the magnitude of earthquakes, an increase of 10 dB means an increase in sound intensity by a factor of 10 (10x) and an increase in 20 dB means an increase in sound intensity of 100 (100x). Conversely, a reduction of 10dB means 1/10 the sound intensity and a reduction of 20 dB means a 1/100 the sound intensity. Ambient levels of sound refer to typical average sound levels over a period of time, typically 24 hours.

### Common Transportation Sounds

Ambient sound data suggests that transportation sound is a common frame of reference if not part of the sound environment in a community. Data for "typical" highway, railroad, and aircraft noise levels are sparse and generalized, with dB ranges given being so large (because they are trying to average a wide range of situations and machinery) that variations in the reported sound levels may make qualitative analysis applied to individual situations meaningless. In other words, the precision of the measurement tool exceeds that of the data to be measured.

For example, estimates of "highway" traffic sound include between 70 dB for passing automobiles and 80 dB for heavy traffic as heard from a sidewalk. Another source estimated light automobile traffic at about 50 dB. Further, since frequency (volume of traffic) also enters into the sound equation, as does relative composition or proportion of commercial and noncommercial vehicles, average speed, stop-and-go traffic, and time of day, estimates of typical noise are endlessly dynamic.

Snowmobiles are reported to routinely produce sound levels exceeding 80 dB and some have been reported to exceed 100 dB.

Railroad sound levels may reach 110 dB from horns at a distance of 100 feet and the train itself passing at 80 dB.

Reported aircraft noises typically refer to large commercial aircraft using metro airports, since the potential impact was great enough to warrant expenditure of a noise study.

Rural areas have had little or no searchable study results on aircraft sound. The Federal Aviation Administration has published some detailed noise outputs of light aircraft and helicopters. For example, common models such as the Cessna 206 generate 70dB and the Piper PA-18 Super Cub generates 60 dB on take-off. In level flight at 500 feet elevation, an AStar 350 helicopter used by CPG produces 75 dB, at 1,000 feet it produces approximately 70 dB. During power ascent and landing approaches, sounds are the loudest - 87.1 to 94.5 dB.

Effect of Distance on Sound Intensity

Sound level (noise) dissipates predictably as a function of distance from source and receptor (in this case, humans). In the simplest situation, a stationary point source, noise dissipates inversely as the square of the distance from the source--assuming no barriers or interference--such that sound level decreases approximately 6 dB for every doubling of distance. For a simple example, an automobile might produce 80 decibels at a distance of 25 feet. At a distance of 50, the noise level will be 74 dB; at a distance of 100 feet the noise level will be 68 dB; and at distance of 200 feet the noise level will be 62 dB.

500 75  
1,000 68  
2,000 62  
4,000 56\*  
Below quiet  
conversation level

Other Sound Attenuation Factors

Distance is but one factor in buffering or reducing the impact of noise. In addition, terrain, ground cover and vegetation, and temperature may also affect the transmission or reflection of noise. For example, sound dissipates less in cold, dense air. Vegetation in general tends to absorb sound but snow cover tends to mask the absorptive capacity of vegetation. Sound will tend to reflect within canyons and valleys.

**Reasonable Foreseeable Actions**

Any action that results in more people in the backcountry or more disturbances of natural habitats in or near the permit area has the potential to cause cumulative impacts to wildlife, winter recreationists, and local residents. The following on-going projects may increase winter recreational use in the project area:

Seward to Girdwood Iditarod National Historic Trail

The primary goal of this plan is to promote the preservation, enjoyment, use, and appreciation of the Iditarod National Historic Trail (INHT). Since the INHT designation as a National Historic Trail in 1978 and the development of the *INHT Seward to Nome Route Comprehensive Management Plan* in 1986, there has been subsequent development of a variety of agency, community and advocate plans and activities associated with the INHT.

The Forest Service approved a Decision Notice and Finding of No Significant Impact for this trail on January 23, 2004 (USDA, Forest Service 2003d). The decision includes approximately 186 miles to be managed as part of the INHT. Approximately 82 miles of trail reconstruction, 77 miles of new trail construction, 32 major trail bridges, and at least 50 minor bridges and walkways. Winter motorized use on approximately 105 miles of winter trail and 81 miles of trail would be closed to winter motorized use. All routes follow Revised Forest Plan direction relative to winter motorized and non-motorized use. The project also includes construction of five new trailheads and reconstruction of three existing trailheads, and the construction up to six new cabins: Mills Creek, eastside of Ptarmigan Pass, Lost Lake Trail and Twentymile, and two in the Johnson Pass area.

January 27, 2011

To Whom it May Concern:

We, David C. Ward & Tony P. Ward  
would like to let you know we  
support Seaba (SEABA).

We support this 8:00 AM to 6:30 PM.  
The Activity Heli Port on SEABA's  
property.

The DAVE WARD Family

RECEIVED Haines Borough

FEB 03 2011

Clerk's Office

RECEIVED  
DEC 04 2008

HAINES BOROUGH

To whom it may concern,

My name is Christopher Brooks and I am a property owner who's property borders that of Southeast Alaska Backcountry Adventures, or SEBA. This is a letter of support for the proposed heli operation and landing at SEBA's property at roughly one mile Chilkat lake road. This is a good idea and will help not only the heli skiing industry but the community of Haines as a whole. Be it through jobs, promotion or a truly sustainable industry.

I have had the pleasure of speaking to the members of SEBA, and voicing my concerns and questions about the impact that the fore mentioned operation might have on the quality of life in our community and my property. To my great relief all of my concerns were addressed to my satisfaction.

It is really great to be able to talk with a business and see that their ideas and goals are inline with the success of Haines. I cannot think of a better situation where the impact of doing business is less than three months a year (weather permitting). Also the fact that most of the business stays in the community and does not migrate with the change of seasons is a huge plus for all the valley.

I would like to close by once again voicing my support for the heli landing site at SEBA's one mile Chilkat lake road property. Thank you for your time.



Chip and Kandus Strong  
HC 60 2617  
Haines, Alaska, 99827

To: The Haines Borough Assembly,

I would like to take this opportunity to voice our opinion regarding Southeast Alaska Backcountry Adventures plan to operate in perpetuity a heliport for winter heliskiing in the Haines Valley from Big Salmon Ventures property adjacent to our property.

We are comfortable that SEABA can utilize this area in a positive way or the community; we also feel that it does not affect our day to day lives in any way and we enjoy the activity.

Last season during their operations when they did a mandatory refueling we hardly knew they were landing even though they are less than 800 feet away. We had to turn the television down to recognize the noise. We are encouraged by SEABA business, as we, as others, have benefited from their growth. We have, plowed snow, done dirt work for them, and have hauled their Snow cats around the upper valley.

We hope that the borough will grant them the opportunity to conduct their business on Big Salmon Ventures Property.

Thank you for your time.

  
Chip Strong

RECEIVED Haines Borough  
DEC 04 2008  
Clerk's Office

**Julie Cozzi**

---

**From:** Keith [doublek@acsalaska.net]  
**Sent:** Thursday, December 11, 2008 12:52 PM  
**To:** jcozzi@haines.ak.us  
**Cc:** jhill@haines.ak.us  
**Subject:** SEABA Support Letter

To;  
Mayor Jan Hill [jhill@haines.ak.us](mailto:jhill@haines.ak.us)  
Manager Tom Bolen [tbolen@haines.ak.us](mailto:tbolen@haines.ak.us)  
Borough Clerk Julie Cozzi [jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us)  
Assembly Members

From;  
Keith & Bonnie Kaiser  
6.25 Mile MBR  
Haines, Alaska 99827  
907 766-3344  
907 321-2020

We are writing this letter in support of SEABA's use of helicopters and other support equipment on their property adjoining our property on Chilkat Lake Road. We purposely purchased our lot in this area to take advantage of the motorized activities available there. We plan to build a cabin which will over look the staging area for there heli-ski and snow cat operations. With Sunshine Mountain and the panoramic view as a backdrop we look forward to watching the choppers filled with skiers come and go. We expect and accept noise as helicopters and equipment transit the area. I also make loud noise when working around the borough! For several years we rented acreage to Alaska Heli-Mush for their glacier dogsled business. I always liked to watch and listen to the helicopters as they handled their sling loads with skill and gracefulness. Hopefully in the near future the surrounding properties will become a hub for the heli-skiers and snowmobile enthusiasts and contribute even more to the local economy. We hope the assembly can overcome its past policy of squelching any venture that would help the dire economic situation in Haines, and let entrepreneurs like SEABA flourish! SEABA's presence on the Haines scene is a very positive one and we hope they can continue to open their client's eyes to the wide horizons of beautiful Alaska from the ground and from the air!

TO: HAINES BOROUGH MAYOR  
BOROUGH MANAGER  
ASSEMBLY MEMBERS.

I'M WRITING THIS LETTER IN SUPPORT OF  
S.E. ALASKA BACK COUNTRY ADVENTURES (SEABA).

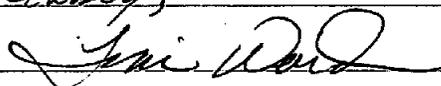
WITH THERE HELI-SKIING AND SNOCAT SKI TRIPS.

AS AN ADJACENT PROPERTY OWNER, I HAVE  
NO PROBLEMS WITH SEABA LANDING HELICOPTERS  
AT THERE 26 MILE CHILKAT LAKE ROAD PROPERTY.

I ADMIRE THE COMMITMENT AND ENERGY THAT  
THESE ENTREPRENEURS HAVE TO BUILD THERE  
BUSINESS IN HAINES. SEABA'S ENDEAVORS CAN  
ONLY STRENGTHEN THE ECONOMICS OF HAINES  
AS THEY BRING IN MORE CLIENTS TO SHOW  
THE BEAUTY HAINES HAS TO OFFER.

I FEEL THE ASSEMBLY SHOULD HELP SEABA  
WITH THE ADJUMENT TO THERE HELICOPTER  
LANDING PERMIT.

SINCERELY,



RECEIVED Haines Borough

TIM WARD

APR 07 2008

Box 1677

Clerk's Office

CHILKAT LAKE

HAINES, AK.

907-841-0909

To;  
Mayor Fred Shields  
Assembly Members  
Robert Venables

From;  
Keith & Bonnie Kaiser  
6.75 Mile MBR  
Haines, Alaska 99827  
907 766-3344  
907 321-2020

We are writing this letter in support of SEABA's use of helicopters and other support equipment on their property adjoining our property on Chilkat Lake Road. We purposely purchased our lot in this area to take advantage of the motorized activities available there. We plan to build a cabin which will overlook the staging area for their heli-ski and snow cat operations. With Sunshine Mountain and the panoramic view as a backdrop we look forward to watching the choppers filled with skiers come and go. We expect and accept noise (loud at times) as helicopters and equipment transit the area. I also make loud noise when working around the borough! For several years we rented acreage to Alaska Heli-Mush for their glacier dogsled business. I always liked to watch and listen to the helicopters as they handled their sling loads with skill and gracefulness. Hopefully in the near future the surrounding properties will become a hub for the heli-skiers and snowmobile enthusiasts and contribute even more to the local economy. We hope the assembly can overcome its past policy of squelching any venture that would help the dire economic situation in Haines, and let entrepreneurs like SEABA flourish! SEABA's presence on the Haines scene is a very positive one and we hope they can continue to open their client's eyes to the wide horizons of beautiful Alaska from the ground and from the air!

*Keith Kaiser*  
*Bonnie Kaiser*

RECEIVED Haines Borough

APR 03 2008

Clerk's Office

Chip Strong  
HC 60 Box 2617  
Haines, Alaska 99827  
PH # 767-5677

March 26,2008

Hello Haines Borough,

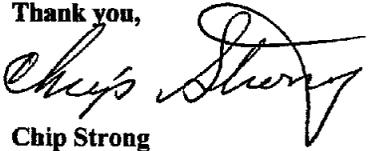
I read in the last town paper that people in my neighborhood there are not even an hand full of people that do not want to see Helicopters landing close to Chilkat Lake Road, I pretty much know who these people are, they are the same people that say that Chilkat Lake road is now the known as the West Mudbay people. These people are the ones that no not want any kind of Industry in all of Chilkat Valley, but are in the same group of people that complain about paying taxes, and then call you stomping their feet saying they need improvement on services, such as road repair and Winter maintenance, in their neighborhood.

I know the Helicopter landed basically in my back yard on March the 12<sup>th</sup> around noon, but you know what I was watching the TV and didn't here any loud noise, the noise of the tour buses in the summer time and the plow trucks plowing snow in the winter makes more noise that.

The reason I am writing this letter to you is that I want you to know that I encourage any Industry to do something in our valley, now that the Helicopters are hauling Skiers up to the mountains is a good thing for us, this is a good start for our valley, it brings people into town helps our economy in all phases, this is no different than the Cruise Ships that come to town. Lets not hinder what is , I think it is a large investment by the Alaska Back Country Company to bring these people town to Ski here, let us not screw this up and run this out of town like our town has done , with other industries that tried to do something to help this town grow.

**THE HELICOPTERS LANDING IN MY BACK YARD, THIS IS A GOOG THING, DO NOT LET ANYONE SMALL GROUP OF PEOPLE STOP THEM, LETS GROW STARTING NOW, I WOULD BET THAT SOME OF THESE SKIERS WOULD LOVE TO HAVE A HOME RIGHT HERE.**

Thank you,



Chip Strong

RECEIVED Haines Borough

MAR 26 2008

Clerk's Office

**Julie Cozzi**

---

**From:** DIANA [lapham@aptalaska.net]  
**Sent:** Tuesday, January 10, 2012 1:25 PM  
**To:** Julie Cozzi  
**Subject:** SEABA, Inc. Conditional Use

January 10, 2012

Dear Commissioners,

I have no objection with SEABA, Inc. having a Conditional Use Permit for a Heliport at 26 mile on their property.

For the extremely short time that they would be operating from there, I feel that would not be a detriment to the neighborhood.

Thank you for your time

Diana Lapham

**Taken from the world wide web at :**

[www.raysyms.com/heliport-safety-educational-and-regulatory-information/heliports-25-frequently-asked-questions-answers](http://www.raysyms.com/heliport-safety-educational-and-regulatory-information/heliports-25-frequently-asked-questions-answers)

### **17. Are Heliports/Vertiports quiet?**

The sound levels of helicopters and tilt rotors are far below that of many accepted noise-producers in our environment. Trains, lawnmowers, vacuum cleaners, hairdryers, motorcycles, jet planes, buses, trucks, boats and cars all regularly produce noise levels higher than that which the average person would perceive from a helicopter or tilt rotor. The relative distance, nature and intensity of the noise generated, height above the ground, model of the aircraft and sound attenuation factors of the terrain between the source and the receptor are all factors in the way sound is perceived. Older, heavier military helicopters are very different from the modern, light, efficient and much quieter civil helicopters utilized in the vast majority of corporate and executive helicopter aviation.

It must be kept in mind that typical Heliport/Vertiport activity produces an extremely transitory sound. The entire sound event lasts for only approximately 45 seconds on landing or takeoff. At any one point along the flight route, providing the observer is close enough to hear or notice it, the helicopter will typically be heard for only 20 seconds or less. This compares very favorably to sounds already found in most neighborhoods. This is quite unlike other transportation uses such as streets, highways, interstate road systems, commuter and freight railroads and certain waterways, where the sound production is almost constant in many circumstances.

Special attention should be given to citing Heliports/Vertiports in areas or corridors where the sound inherently produced by other sources provides for a shielding or muffling effect upon the sounds of the helicopters. Heavily industrialized areas, especially large industrial/commercial campuses, make good sites for potential landing areas, owing to the ambient sounds generated by the land uses and the lack of sensitive receptors generally found in residential areas.

In essentially all metropolitan transportation systems there are clearly defined corridors of motor vehicle, train and waterborne traffic that allow for excellent ingress and egress routes. These freeways, highways, railroads and waterways, in addition to providing enough ambient sound to shield aircraft sounds, also offer an area of relatively unobstructed airspace that is likely to be long-lived.

The operators of the helicopters can also reduce the sounds of the helicopter significantly by the use of engineered sound-reduction techniques developed by essentially all the helicopter/tiltrotor manufacturers. This material has been widely distributed and promoted as part of the Helicopter

Association International (HAI) “Fly Neighborly” program. Additional details on this program can be obtained from HAI.

Large research and development programs are continuing to design and manufacture even quieter helicopters. Some of the results of these programs to date are the NOTAR (no tail rotor) system, improved main and tail rotor designs, blade-tip speed reductions and quieter engines.

### **18. What are the exhaust emissions from helicopters/tilt rotors?**

Helicopters and tilt rotor aircraft are predominately powered by gas turbine engines which produce very few pollutants. Much of this is due to the engine’s high-combustion temperatures and its ability to burn fuel very efficiently. The type of fuel utilized by these engines is high-quality jet fuel. Properly stored, dispensed and used, it meets the high Environmental Protection Agency (EPA) standards for use of such fuels. Those helicopters that are gasoline powered produce emissions that are very comparable to other similarly powered vehicles (i.e., cars, trucks and boats).

### **19. How safe are Heliports/Vertiports?**

Nothing is more important to the residents of any community than the safety of themselves, their families and property. The FAA, using its own data and that of the National Transportation Safety Board, looked at the relative risk a community has in relationship to a helicopter landing area. The results of that study calculated that an accident has the frequency of occurring once every 432 years. That information and historical data reveal that typical helistop/heliports have a perfect safety record relative to any deaths or injuries to the general public.

The FAA and many of the state and local governments are very proactive when it comes to heliport/vertiport safety and the aircraft that land there. FAA regulations are very strict when it comes to unsafe actions by pilots and improper facilities.

### **20. Do Heliports/Vertiports affect property values for adjacent or nearby properties?**

Historical studies as well as real estate appraisal guidelines indicate that property values are not affected due to the proximity of a heliport/helistop.

#### **Q: Will the heliport impact real estate values?**

**A:** While proximity to *airports* has been shown in a number of studies to cause depreciation in real estate values, the minimum noise value considered for depreciation is 65 dB Ldn.( landing) The Atlanta Metro Heliport is expected to produce less than 50 dB Ldn (many times quieter), which means that it will have no impact on neighborhood home values.

**Ldn:** The Day-night Average Sound Level (Ldn) is the level of noise expressed (in decibels) as a 24-hour average. Nighttime noise, between the hours of 10:00 p.m. and 7:00 a.m. is weighted; that is, given an additional 10 decibels to compensate for sleep interference and other disruptions caused by nighttime noise found in urban residential areas. An annual average of DNLs is used by the Federal Aviation Administration to describe airport noise exposure. Areas with noise impacts less than 65 dB DNL are considered "compatible" with residential use; areas at or above 65 dB DNL are designated "incompatible" with residential use.

In BSV'S decibel study, we had peak levels of 64.5 dB, and if we were to average the noise in a 24 hour period in this area given the decibels maintaining the 65 threshold for 2 hours in a 24 hours periode, the level might be close to 50 dB DNL.

And from:

<http://www.rduaircraftnoise.com/noiseinfo/noise-terms.html>

## Sound Measurement Terms

### *A Quick Reference To Sound Measurement Terminology:*

**dB** - The decibel (dB) is the unit used to measure the magnitude or intensity of sound. It uses a mathematical scale to cover the large range of sound pressures that can be heard by the human ear. A 10-dB increase will be perceived by most people to be a doubling of loudness. For example, 80 dB typically seems twice as loud as 70 dB.

**DNL** - The day-night level (DNL) is the average annual daily sound level, in decibels, computed on the basis of a 24-hour period with a 10-dB penalty for sound occurring between 10 p.m. and 7 a.m. to account for the greater intrusiveness of noise during late night or early morning hours.

DNL was developed as a single-number measurement of community noise exposure by EPA. DNL was adopted by the FAA for use by airports.

**Noise contour** - A continuous line on a map that represents equal levels of noise exposure.



Noise lessens from the innermost area within a contour line outward. The composite noise contours combine past and projected noise exposure including use of a planned third parallel runway.

The least severe exposure occurs outside the DNL 55 contour, the level at which the Federal Aviation Administration describes noise exposure as minimal. The FAA considers residential development and other noise-sensitive land uses as acceptable in these areas and recommends no special noise-control measures.

Noise exposure is regarded as moderate between the DNL 55 and DNL 65 contours, and the FAA recommends that land-use controls be considered. Noise exposure is regarded as significant between the DNL 65 and DNL 75 contours, and the FAA recommends that land-use controls be implemented. The Airport Authority has worked with local governments to develop airport-compatible zoning measures for this area.

One of the highest per capita income areas in the country, Somerset County, New Jersey, has a large number of private and corporate heliports within some of the finest and costliest estates in the county.

# R7

Xi Cui

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To: Michelle Webb  
Subject: RE: Sundberg Heliport Conditional Use Proposal

From: [Weishahn](#)

To: [venables@aptalaska.net](mailto:venables@aptalaska.net) ; [hlende@aptalaska.net](mailto:hlende@aptalaska.net) ; [andyhedden@chilkatguides.com](mailto:andyhedden@chilkatguides.com) ; [lee@alaskaindianarts.com](mailto:lee@alaskaindianarts.com) ; [stacie@aptalaska.net](mailto:stacie@aptalaska.net) ; [dgonce@aptalaska.net](mailto:dgonce@aptalaska.net) ; [Rob Goldberg](#)

Cc: [djschnabel@haines.ak.us](mailto:djschnabel@haines.ak.us) ; [Michelle Webb](#) ; [weis@aptalaska.net](mailto:weis@aptalaska.net)

Sent: Wednesday, February 12, 2014 7:01 PM

Subject: Sundberg Heliport Conditional Use Proposal

To Haines Planning Commissioners:

The issue of a heliport on this same private property on Chilkat Lake Road has been before the Planning Commission and Assembly in 2012. A conditional use permit for a heliport in this residential area was reviewed and denied by both bodies. Nothing has changed about the location Mr. Sundberg is proposing for a heliport. The negative impacts to residents, wildlife, property values, and risks to salmon streams from potential fuel spills in the area still exist. While the applicant goes to great lengths about the business plan for this property, little is said about the appropriateness of locating a heliport there. I have included below an excerpt regarding heliports from the current Comprehensive Plan. While the idea of developing a heliport on public land at some future time is beyond the scope of this discussion, the plan suggests that no additional heliports on private land are desirable.

Heliski companies can use 3 approved heliports: the Haines Airport (lower Chilkat Valley), 18 Mile (mid Chilkat Valley), and 33 Mile (upper Chilkat Valley). The location being proposed does not eliminate any of these heliports, nor is it located near all of the available heliski areas. If this CUP is granted, the Planning Commission will be setting a precedent for each heliski company having its own heliport. The proposed heliport is redundant and all heliski areas can be reached from the approved heliports.

I have also included an excerpt below from former Manager Mark Earnest's recommendation to the Planning Commission when Mr. Sundberg applied for a CUP in January 2012. Earnest described 3 factors that, in his opinion, did not meet the criteria for issuing a CUP. He refers to the old Comprehensive Plan in his discussion, and concludes that, "Regardless of where the proposed use is located on the property, I do not believe development of a heliport at this location is consistent with and in harmony with surrounding uses which do not produce equivalent noise and levels of activity."

This property is still an inappropriate location for a heliport and the CUP application should be denied to protect residents, property values and the public welfare.

Carolyn Weishahn

~~~~~

#### **Comprehensive Plan, September 2012, p. 94-95**

In 2011 one business proposed development of a heliport on its land on the Chilkat Lake Road, which raised concerns about neighborhood character, noise and safety. The planning commission and assembly denied the permit based on health, safety and welfare issues, but this raised a larger question of whether a heliport on public land should be developed to consolidate helicopter activity. To effectively plan for future heliport use the Borough should work to establish a criteria that clearly defines the public health, safety and welfare issues it desires to address, define the characteristics a suitable site would have such as acceptable noise levels and distance from residences, systematically evaluate possible sites, and if a site is identified and developed, offer incentives (e.g. increased skier days) and disincentives to encourage its use.

~~~~~

#### **Manager's Report – SEABA Conditional Use Permit for Heliport**

January 19, 2012

.....

Under HBC 18.50.040, there are 8 factors to be considered in deciding whether to grant a conditional use permit.

.....

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

I believe this condition has not been met and that heliport operations at this particular site are a use which produces undue noise as that phrase is used in the CUP criteria no matter where the proposed use is located on the property. I do not believe the Esker Ridge will provide sufficient sound dampening for adjacent residential properties.

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

The Borough's comprehensive plan did not directly address the issue of siting of heliports within the Borough but did conclude heliski companies like SEABA should be "encouraged to develop areas away from residences through creation of a commercial recreation zone where heliports associated with heli-skiing operations would be a use by right". Comprehensive Plan p.72. The proposed conditional use is inconsistent with encouraging heliski operations to be located "away from residences" as this operation would be literally next door to residential property. Regardless of where the proposed use is located on the property, I do not believe development of a heliport at this location is consistent with and in harmony with surrounding uses which do not produce equivalent noise and levels of activity.

.....

5. The granting of the conditional use will not be harmful to the public safety, health or welfare.

I believe granting the conditional use will be harmful to the general health and welfare of the community by introducing a use disturbing the peace and quiet valued by nearby property owners. I have considered whether dispersion of impacts associated with SEABA operations amongst 3 rather than two locations is an improvement to public welfare. In my opinion it is better for the public welfare to concentrate impacts rather than disperse them amongst an expanding number of permitted heliport sites.

.....

The factors listed above mean that I [Mark Earnest] am unable to find that 3 of the required 8 findings all of which must be met in order to grant a proposed conditional use have been met.

~~~~~

February 9, 2014

To: Haines Borough Planning Commission

Re: Heliport Conditional Use Permit Public Hearing  
Lot 10, Sundberg Subdivision II

Planning Commission,

As property owners within 200' of the above listed property, we appreciate you taking our comments into consideration while deciding on the conditional use permit (CUP) requested for a helipad. We are disappointed to see that this issue has arisen once more as it is quite divisive for the community in the 26 mile area. While attending the Planning Commission meeting on March 14, 2013, the general attitude was that the proposed zoning change was a direct response to the previously proposed CUP, and is indicative of the opposition to this CUP. It seems unlikely that general opinions on the CUP have changed. That said, when revisiting the Borough Manager's Report (January 19, 2012) recommending that the CUP be denied we see it states that:

"1. The use is so located on the site as to avoid undue noise and other nuisances and dangers."

I believe this condition has not been met and that heliport operations at this particular site are a use which produces undue noise as that phrase is used in the CUP criteria no matter where the proposed use is located on the property. I do not believe the Esker Ridge will provide sufficient sound dampening for adjacent residential properties.

...

"4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses."

The Borough's comprehensive plan did not directly address the issue of siting of heliports within the Borough, but did conclude heliski companies like SEABA should be "encouraged to develop areas away from residences through creation of a commercial recreation zone where heliports associated with heli-skiing operations would be a use by right". Comprehensive Plan p.72. The proposed conditional use is inconsistent with encouraging heliski operations to be located "away from residences" as this operation would be literally next door to residential property. Furthermore, there are neighboring lots for sale with similar dimensions as ours, and of others in this zone, which suggests the primary use of the area will continue to be

residential. Regardless of where the proposed use is located on the property, I do not believe development of a heliport at this location is consistent with and in harmony with surrounding uses which do not produce equivalent noise and levels of activity.

“5. The granting of the conditional use will not be harmful to the public safety, health or welfare.”

I believe granting the conditional use will be harmful to the general health and welfare of the community by introducing a use disturbing the peace and quiet valued by nearby property owners. I have considered whether dispersion of impacts associated with SEABA operations amongst 3 rather than two locations is an improvement to public welfare. In my opinion it is better for the public welfare to concentrate impacts rather than disperse them amongst an expanding number of permitted heliport sites.

...

“8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.”

I have reviewed comments which not surprisingly fall on both sides of the issue. I believe consideration of public input is much more appropriate for the Commission than for the Borough Manager. So what is “due weight” for me is probably different from what is “due weight” for the Commission. I have placed relatively little weight on the comments as opposed to my own assessment of the collective community interest in heliport operations within the Borough in general based on hearing from residents for well over a year regarding this controversial interest. Segments of the community will not be happy regardless of the specific recommendation I make or the decision made by the Commission. This is partly the reason why I suggest an additional permit limitation should the Commission decide to grant the permit.”

Further the Haines Borough 2025 Comprehensive Plan states on page 94 that:

*“In 2011 one business proposed development of a heliport on its land on the Chilkat Lake Road, which raised concerns about neighborhood character, noise and safety. The planning commission and assembly denied the permit based on health, safety and welfare issues, but this raised a larger question of whether a heliport on public land should be developed to consolidate helicopter activity. To effectively plan for future heliport use the Borough should work to establish a criteria that clearly defines the public health, safety and welfare issues it desires to address, define the characteristics a suitable site would have such as acceptable noise levels and distance from residences, systematically evaluate possible sites,*

*and if a site is identified and developed, offer incentives (e.g. increased skier days) and disincentives to encourage its use.”*

We are not aware of any criteria has been defined for determining public health, safety, and welfare issues. There has been limited activity of the Borough working to examine or establish a public heliport site that will meet the needs of current and future heliport activities (Haines Borough Planning Commission Meeting Minutes from February 9, 2012), and there does not appear to be much that has changed for this CUP, aside from moving the proposed location by a small distance.

As we have stated in previous letters on this matter, we are active skier and take no issue with heliskiing in general; however after consulting with a number of our neighbors and reviewing prior emails from SEABA where they indicated that up to 16 takeoffs and landings would occur per day between the hours of 0800 and 1800 (roughly every 45 minutes) from February until April, we feel that this endeavor will be counter to the generally quiet and residential aspect of the neighborhood. Lastly we feel that granting this CUP will negatively impact the value of our property (CUP condition # 2) in both fiscal and “quality of life” terms, due to noise (not just decibels, but the type of noise as well). At this time we ask that the CUP be declined, again.

Thank you for your consideration,

Ben Williams & Gretchen Roffler  
Lot 2, Big Salmon Subdivision

February 13, 2014

Haines Planning Commission

To Whom It May Concern:

I thank all of you for your valuable time and attention to this matter. This letter is written in support of the SEABA 26 mile village design and ecotourism implementation plan ("Plan") and allowance of a heliport via the Conditional Use Permit ("Permit") process. I am ready to purchase LOT 8 at 26 mile with immediate plans to build a residence with ample shop space for various commercial activities in support of SEABA's operations. My investment plans are on hold; however, pending the Commission's decision. I would much prefer to see the company's Permit approved for the construction of the heliport, which would make it far more attractive for interested parties like myself to invest hundreds of thousands of dollars in a property and improvements with a business-friendly, long-term development Plan.

SEABA's Plan *has not been drafted in a vacuum*, but to the contrary, has involved input from all stakeholders (neighbors, SEABA partners, and potential investors) who have been solicited for input and expert advice where needed. For example, I was asked to provide advice on the mountain biking developmental aspects of the Plan, including trail design, maintenance, and future downhill and cross country guide training and certification programs. Future possibilities exist in this area for additional consulting work on behalf of SEABA and possible partnership with SEABA. Our collective input and advice was also solicited on SEABA's overall vision for the surrounding area, including the heliport and winter park concept. *All stakeholders are on board with, and have had a constructive hand in, the drafting of this Plan.*

SEABA's Plan makes good sense of the properties and surrounding area with an eye toward responsible development and eco-tourism. I urge this Commission to approve SEABA's request and Permit the properties accordingly so we may all move forward with our investment dollars and make it so.

Feel free to contact me with any questions and/or concerns.



Frank Clark  
46 Sandpiper  
Whitehorse, Yukon Y1A6B6  
(907) 303-3300

**Xi Cui**

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**To:** Heather Lende  
**Subject:** RE: 26 mile heliport proposal

----- Forwarded Message

**From:** Gabriela Corona <[becomenchanted@yahoo.com](mailto:becomenchanted@yahoo.com)>  
**Reply-To:** Gabriela Corona <[becomenchanted@yahoo.com](mailto:becomenchanted@yahoo.com)>  
**Date:** Thu, 13 Feb 2014 16:17:31 -0800 (PST)  
**To:** Heather Lende <[hlende@aptalaska.net](mailto:hlende@aptalaska.net)>  
**Subject:** 26 mile heliport proposal

Hello, Haines Borough Planning and Zoning Comission.

I own a property extremely close to the proposed heliport site, and I am aware that my property value would decline if the proposed heliport came into existence. I have had a cash offer for my place and was told by the prospective buyer that it was tentative; that a heliport being there would make it a sure thing that the buyers would not buy. In addition, with so many opposed neighboring property owners, it is even more evident that putting my property (with a heliport in such near proximity) on the market, would lessen my opportunities of finding prospective buyers. And, if in the long run, I or any inheriting member of my family chose not to buy but to maintain the property in the family, then we would have a property with a heliport right next door, of which the drawbacks are self-explanatory, as we are all Alaskan frontiersmen.

Sincerely,  
Gabriela E. Corona

----- End of Forwarded Message

**From:** [mike kinison](#)  
**To:** [Xi Cui](#)  
**Subject:** Sunberg heli-pad request  
**Date:** Thursday, February 13, 2014 12:03:17 PM

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Haines planning commission and borough assembly:

We are expressing our support for "denying" the request for a conditional use helipad permit. From the very first heliski planning commission meetings, I and many others, have believed that helipads, especially commercially used ones, should not be located nearby residences. (repeated helicopter landings make the term "nearby", subject to liberal interpretation) Mr. Sundberg has been aware of the public sentiment against his helipad plans for years. I believe he even knew the feelings before buying the property. A conditional use permit opens the door to not just, potentially, a few landings, but possibly can lead to year round use. Are not the current pads enough? Will the ecosystem and wildlife corridor around the adjacent salmon streams be impacted? Especially in summer? Not a risk to be taken.

Years ago, in a discussion with the local DNR forester, the idea was tossed around of pursuing a permitted commercially used helipad at the end of Little Salmon road or Porcupine roads. These would necessitate snowplowing by users maybe, but that system already works for loggers that are in the same situation.

One thing that really concerns me is the ability of the private industry to "wear" us and the planning commission down year after year- lets get a plan!

Mike and Carrie Kinison 38 mile Haines

**From:** [Ady Milos](#)  
**To:** [venables@aptalaska.net](mailto:venables@aptalaska.net); [hlende@aptalaska.net](mailto:hlende@aptalaska.net); [andyhedden@chilkatguides.com](mailto:andyhedden@chilkatguides.com); [lee@alaskaindianarts.com](mailto:lee@alaskaindianarts.com); [artstudioalaska@yahoo.com](mailto:artstudioalaska@yahoo.com); [stacie@aptalaska.net](mailto:stacie@aptalaska.net); [dgonce@aptalaska.net](mailto:dgonce@aptalaska.net); [Debra Schnabel](#)  
**Cc:** [Xi Cui](#); [Kathy Friedle](#)  
**Subject:** Tonight's Planning Commission Meeting  
**Date:** Thursday, February 13, 2014 10:53:53 AM

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Regarding SEABA's conditional use permit application for a heliport at 26 mile:

We wish to have our opinion on the record. We do not oppose SEABA's attempt to build a heliport on their own property at 26 mile. As long as they keep their customers and activities away from our subdivision, we support their plan.

Stan & Ady Milos  
Eagle Vista Subdivision  
26 Mile

**From:** [Nicholas Szatkowski](#)  
**To:** [Xi Cui](#)  
**Subject:** Nicholas Szatkowski's comments on Sundberg's Feb 2014 heliport CUP application.  
**Date:** Wednesday, February 12, 2014 4:17:02 PM

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Hello Haines Planning and Zoning Commissioners-

Firstly, I would like to thank you all for your service to our community. I would also like to ask for your attention on an issue that has potentially major impacts on the well-being of me, my family, and my neighbors: Please uphold Borough law, in accordance with our Borough lawyer's opinion, and don't open approve the Conditional Use Permit for a heliport at Scott Sundberg's 26-mile property. My reasoning is as follows:

In 2012, the Haines Borough lawyer instructed our assembly to NOT grant a CUP applied for by the same individual for this same activity, at essentially the same location. The legal opinion of our lawyer was that, because the provisions for granting a CUP are specifically laid out in our municipal law, our Borough bodies (i.e., P&Z Commission and Borough Assembly) must make their decisions on the basis of that law; in the case of a heliport at the proposed location, the law indicates that a CUP should not be granted.

As the principal planning body in our municipality, it is crucial for the P&Z Commission to take leadership in this contentious issue, and plan where an industrial use such as a heliport should best be located. The purpose of municipal planning is expressly to avoid conflicts such as the one generated by this proposal to situate a heliport adjacent to a cluster of residential properties. An issue such as this is something that has numerous, large ramifications for future development, as well as quality of life in our valley. Significant effort has already been expended by both the borough government and the local citizenry to determine where heliports for heliskiing should best be located. If such developments are granted on a piecemeal basis, as each private company decides to create their own individual heliport, it will go against good and sensible planning. The interests of all parties in the Haines Borough will best be served by undertaking a more comprehensive process that will look to best serve the interests of all, rather than one individual's private development vision.

Please, good commissioners, act in accordance with our borough lawyer's legal opinion. Do not grant this current heliport CUP, and instead look to resolve this potentially divisive issue in a way that creates more harmony and less conflict and dissatisfaction, and best serves the interests of the greatest number.

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The Haines Planning and Zoning Commission is given very clear direction on the requirements for granting a Conditional Use Permit in section 18.50.040 of the Haines Borough Code. This section of code states that in order to approve a CUP, the commission "must find that each of the following requirements is met", and then lists 8 specific requirements. At least 4 of the 8 requirements are not met by the applicant. The first 2 of these requirements are also in agreement with a substantial body of case law demonstrating property rights that have been the basis for a number of successful lawsuits. And so the commission is encouraged to act legally and correctly in not granting the CUP.

Following are explanations for why SEABA's CUP application failed to meet 4 of the necessary 8 requirements:

Requirement 1 states "The use is so located on the site as to avoid undue noise and other nuisances and dangers".

There is simply no way that this requirement can be met by a heliport adjacent to residential property. In 2012, 2 of the 3 commissioners who voted in favor of granting the heliport CUP stated, in reference to this requirement, that they believed sacrifices must be made in order to support the profitability of private businesses. Any individual citizen has a right to this belief. But the HBC says that the commission must find that each of the requirements is met. It is not within the authority of the commissioners to decide that some of these CUP requirements should, or can, be sacrificed.

Moving the proposed landing site for the heliport approximately 100 feet doesn't significantly change the "undue noise and other nuisances and dangers" that would impact the surrounding community. It is possible that the last 30-50 feet of helicopter touchdown would be slightly muffled by a terrain feature. But most of the duration and spatial extent of the sound impact would occur when helicopters are above 50 feet elevation. During the 04 December 2013 "decibel testing", the sound of the helicopter approaching the area--*before it made its landing approach to the Sundberg property*--was loud enough for my 2-year old son to jump up and ask, wide-eyed, "What is it!?" The sound was approximately equal to the volume of a conversation--a mechanized, low-frequency, rhythmic and impulsive conversation--occurring *inside my home!* I looked out the front window and saw the helicopter flying at a distance of perhaps 1/3 of a mile, at an elevation of approximately 500-1000 feet, presumably approaching the area to prepare for the "decibel test." Some time later I heard it again, presumably leaving the area.

What this demonstrates is not that somebody else's decibel test is wrong or right, but rather, that the experience of sound is highly subjective. This fact has many times been acknowledged both in acoustic research and in legal decisions. The dynamics of sound waves have many different characteristics, only one of which is measured by a straight decibel test. Low-frequency sounds often have subjective impacts as much as 20dB higher than their measurement on a straight decibel scale. The propulsive nature of helicopter sound, as it literally "pushes" the air through which the sound waves travel, further increases this effect.

Even if requirement 1 weren't included specifically in the relevant section of HBC, one of the fundamental rights associated with the ownership of private property is something known in legal terms as "use and quiet enjoyment" of one's property. If any nuisance, including excessive noise, interferes with a property owner's "quiet enjoyment" they have a right to sue both the managing authority and the emitter of the nuisance. This is something that is very solidly enshrined in case law, with numerous precedents from legal suits all across the country. I submitted documentation regarding this legal issue for inclusion in the meeting packet for the 1/19/12 P&ZC at which Sundberg's first heliport CUP was considered.

Requirement 2 states "The development of the use is such that the value of the adjoining property will not be significantly impaired."

The following is a quote from an FAA study commissioned by the US Dept. of Commerce, entitled "Aviation Noise Effects": Studies have shown that aircraft noise does decrease the value of residential property located around airports. Although there are many socio-economical factors which must be considered because they may negatively affect property values themselves, all research conducted in this area found negative effects from aviation noise, with effects ranging from a 0.6 to 2.3 percent decrease in property value per decibel increase of cumulative noise exposure. This section reports on those studies. (section 15.1, page 100)

I recommend this study for looking further into aviation noise. It's also important to consider the specific effects of impulsive noise, and low frequency and subsonic noise, as these both have measurable effects far beyond the effects of simple measurable decibel levels. Subsonic noise has been found to vibrate building foundations, with effects equivalent to mid-frequency noises as much as 20 decibels higher.

I included excerpts from several additional studies on this topic in the 1/19/12 PC meeting packet.

Requirement 4 states "The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses."

The HB Comp Plan acknowledges that this area of the borough has become predominantly residential. Local residents have expressed interest in rezoning to protect the residential/rural settlement character of the area at various times, beginning with a proposal in 1985. The version of the HB Comp Plan that was current during the last 10 years of settlement in the area stated:

**"Borough residents generally want residential land use and neighborhoods protected from commercial and industrial activity that can bring in noise, traffic and lighting that is not compatible with a residential lifestyle. Growing neighborhoods along the Haines Highway may wish to pursue zoning**

**designations that will maintain the rural residential character of their neighborhoods. The Borough intends to protect and strengthen the integrity of its residential areas, but also provide flexibility for home business and limited neighborhood commercial use, especially in outlying residential areas.**

A case was made by heliport proponents that the surrounding land uses are industrial in nature, and comparable to a heliport in noise impact. This is simply false.

For example, the Woods' sawmill, located about 1 mile away on Porcupine Road, has not operated for the last couple of years. Similar in size to Buster's old sawmill, it was hardly equivalent in impact to a heliport. (I never once heard it from my property, even when outside, but SEABA's 2008 helicopter approach and landing was very loud, and shook my home).

Harmony is one the least applicable words that could be used to describe a heliport within this quiet, residential area, and so Requirement 4 is not met.

Requirement 8 states "Comments received from property owners impacted by the proposed development have been considered and given their due weight."

In 2011, 44 of 79 property owners (over 50%) in the area signed a petition opposing a heliport in the neighborhood, and supporting a rezoning to effect that purpose. This petition was submitted to the borough, along with an application to rezone the area as "rural residential". Some of these individuals have also written letters to the borough to further elaborate on their feelings on the issue. All of these statements were resubmitted to be included in the meeting packet for the 1/19/2012 P&Z Commission meeting which included Sundberg's first heliport CUP application hearing.

Aside from the SEABA owners, only 6 property owners (only 1 of whom lives on the property) had signed or written any statement in support of the heliport prior to that first meeting. One owner/resident (the Woods, owner of the formerly operating sawmill) told us verbally that they support the heliport. One other owner/resident wrote a letter emphatically opposing the heliport, but they didn't support the rezoning. Additionally, at the 1/19/2012 meeting:

7 people spoke against the CUP--6 of them owner/residents in the 26-mile area; 4 people spoke in favor of the CUP, only 1 of them an owner (and not a resident).

During the last 2 years, certainly more comments have been made by various individuals regarding ostensible pros and cons of a heliport at this location. It is now beyond my scope as a concerned resident to tally every single comment. However, it is still quite clear that a distinct majority of "comments received from property owners impacted by the proposed development" are in opposition to the heliport and CUP, and thus Requirement 8 of 18.50.040 is also not met.

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Again, I ask you to please decide in accordance with the legal interests of our borough, and in the interests of positive, intelligent planning for the future of our community. Positive constructive developments, particularly in the area of eco-tourism, should not happen at the expense of adjacent residents and families. With good planning, such projects can be undertaken in ways that provide benefit without incurring such significant sacrifices for Haines residents and taxpayers.

Thank you for your time and your service,  
Nicholas Szatkowski  
resident landowner within 3000 feet of proposed heliport  
HC 60 Box 2621  
Haines, AK 99827  
[glaciallogic@gmail.com](mailto:glaciallogic@gmail.com)

**Keith and Bonnie Kaiser**  
**P.O. Box 1406**  
**Haines, Alaska 99827**

February 6<sup>th</sup>, 2014  
City and Borough of Haines  
Planning & Zoning Commission  
C/O Julie Cozzi, Borough Clerk  
P.O. Box 1209  
Haines, Alaska 99827

Re: Big Salmon Adventures CUP  
Winter Village/Heliport

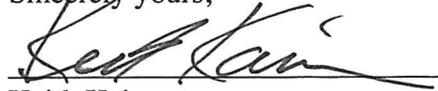
I am writing to you to express our support for the "Conditional Use" application submitted recently by Big Salmon Ventures LLC. The development of a "Winter Village" concept with multiple use "Summer Recreation" facilities in the 26 mile area is a perfect blend of activities when combined with other related and adjacent landowner needs and visions.

In addition, we further support the inclusion and approval of the proposed heliport landing area with the additional positive economic impacts and emergency response it will provide our remote community. Additional benefits will also occur to the Haines Borough in general by the increased property and sales tax revenues produced by encouraging such development.

Our parcels overlook the area where the proposed activity will occur. We see nothing but benefits from your approval. Specifically we have the adjacent tax parcels #3-clr-35-260 and 280. My wife and I would like to plan for recreational cabins on our property, a small RV park and a helicopter support facility including a hanger. Our investment is expected to be approximately \$750,000.

It is our intent that should the area need a reclassification of zoning in the future to support this type of commercial development, that we would certainly sign a petition requesting the same.

Sincerely yours,



Keith Kaiser

  
Bonnie Kaiser

# R8

Michelle Webb

---

**From:** Xi Cui  
**Sent:** Friday, March 07, 2014 10:10 AM  
**To:** Michelle Webb  
**Subject:** FW: violation question  
**Attachments:** 4.25.2013 Fines Letter.pdf; 5-3-13 Penalty Assessment - SEABA on BLM land w-out permit.pdf

**Categories:** Yellow Category

---

**From:** Julie Cozzi  
**Sent:** Thursday, February 13, 2014 4:36 PM  
**To:** Xi Cui  
**Subject:** RE: violation question

The attached letters are also on the Administration page of the borough's website.

By the way, we are still waiting for the final BLM report, etc. I was told it was actually 54 "skier days" rather than 54 separate times. That can mean a couple of full helicopters for just two days. So, I am quite reluctant to comment about the results of the BLM investigation until I get the official information from BLM.

I cannot seem to locate the 26-mile emergency landing incident. It was quite a while ago and will take more digging than I have time for right now. Sorry.

Julie

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**From:** Xi Cui  
**Sent:** Thursday, February 13, 2014 4:09 PM  
**To:** Julie Cozzi  
**Subject:** FW: violation question

Julie.

Could you confirm these violations?

---

**From:** Heather Lende [<mailto:hlende@aptalaska.net>]  
**Sent:** Wednesday, February 12, 2014 2:14 PM  
**To:** Xi Cui  
**Subject:** Re: violation question

Tracy,

Here's what I learned from the newspaper archives ( and maybe Julie can double check it? To be sure I'm correct? She may have misunderstood my question.) --- The Borough fined SEABA 400 dollars for 2 out of bounds landings on March 19, and 500 dollars in May ( a week before a May 16 article) for operating on BLM land without a permit, which was revealed following a March 3 fatal accident on an unpermitted BLM slope. SEABA admitted the violation, and agreed to pay the BLM 21,000 in fines and fees for landing there 54 times without a permit during 78 days of operation in the previous 2 years. This year, SEABA requested 1100 skier days and were only allocated 890 by the manager because of those violations and safety concerns. I think that's

all— I didn't see anything about an emergency landing, but that may have been a while ago— do you all have the date of that one?

Thank you--

Heather

On 2/12/14 11:33 AM, "Xi Cui" <[xcui@haines.ak.us](mailto:xcui@haines.ak.us)> wrote:

Heather.

About your question #3, Julie told me that there was only one violation that SEABA had for emergency landing in the past. Please let me know if you need more info. on that. Thanks.

Tracy

**From:** Xi Cui  
**Sent:** Monday, February 10, 2014 3:00 PM  
**To:** 'Heather Lende'  
**Subject:** RE: Planning Commission Meeting question

Heather,

I am so sorry the printed packets are not ready yet. Our big printer is broken, so I have to use the smaller one. I got swamped this morning, I will try to get the hard copies ready by today...

Answers to your questions:

1. Sundberg requested for the planning commission to approve the installation of a helipad. (not a "resort" permit)
2. Sundberg proposed a heliport in 2012, which was denied by the Planning Commission. (it occurred before I filled in this position, I have to check the minutes to find out why it was denied.) In a quick reviewing of the Borough records, I found the target property was **lot 6**, Sundberg Sub in 2012; the target property is **lot 7**, Sundberg Sub this year. (apparently, they are adjacent properties)
3. (I believe Julie keeps the violation records, but she is in the "COW" meeting) I can provide this to you later if you don't mind.
4. Borough does not have zones that are designated for operation of resource extraction. However, in the townsite service area, there are several zones that allows the developers to operate a resource extraction unless approved as a conditional use by the Planning Commission.
5. Yes, we are just going to have a work session to talk about these two items. If we can come up with a plan, we will have public hearings in the following meetings.

I appreciate your patience and time. Talk to you later.

Tracy

**From:** Heather Lende [<mailto:hlende@aptalaska.net>]  
**Sent:** Monday, February 10, 2014 2:20 PM  
**To:** Xi Cui  
**Subject:** Planning Commission Meeting question

Hi again Tracy— I left a not about getting a printed packet-- so hopefully that happens soon— and thanks for bearing with me as I figure all this out--

I have a couple of questions about the packet and the book you gave me says I'm supposed to ask staff them before the meeting — which I guess is you? (If not please point me another way.) Phone is fine as email may take too long and is clunky-- some are yes or no— I have five:

1. Am I correct that the proposed resort needs no approval from the borough in a general use zone and that we are not holding a hearing on a conditional use for a resort, just the seasonal heli-port?
2. Why was the heli-port permit denied last time, how long ago was it, and what has changed since then at that location?
3. What documented violations, borough, state or federal, has SEABA had and for what?
4. Is there a resource extraction zone in the borough?
5. Do I need to research borough land for potential sale and moto-parks and their specifications, or are these items the beginning of the discussion/process?

On 2/7/14 4:56 PM, "Xi Cui" <[xcui@haines.ak.us](mailto:xcui@haines.ak.us)> wrote:

Dear Planning Commissioners,

The packet for the Feb 13, 2014 PC meeting is ready. The agenda and packet are available in the Borough office, and on-line at the Borough website, or with the following links:

Agenda : [http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/agendas/02-13-14\\_agenda.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/agendas/02-13-14_agenda.pdf)

Packet: [http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/02-13-14\\_agenda\\_packet.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/02-13-14_agenda_packet.pdf)

The Borough will submit supplemental documents on Item 8A, I will upload them as soon as it becomes available. If you have any questions please contact the Borough.

Have a wonderful weekend.

*Xi Cui "Tracy"*

Planning and Zoning Technician III  
Haines Borough  
P.O. Box 1209  
Haines, Alaska 99827  
(907) 766-2231 Ext. 23  
Fax: (907) 766-2716



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
(907)766-2231 • Fax (907)766-2716  
mearnest@haines.ak.us

**April 25, 2013**

Scott Sunberg GM  
Southeast Alaska Backcountry Adventures LLC.  
P.O. Box 1426  
Haines, AK 99827

Dear Mr. Sunberg,

The Haines Borough performed a random GPS spot check on heliski operations as outlined in Haines Borough Code.

Based on the analysis of the GPS data undertaken by the Borough's contractor, Takshanuk Watershed Council, the Manager finds SEABA to be in violation of the "Agreement regarding flight operations and practices" and levies a \$200 fine for each of the two violations for a total of \$400. The fine must be levied because the tour permit states (Section 2.A):

"The commercial ski tours shall be conducted only in areas identified on the "Haines Borough Approved Commercial Ski Tour Areas" map.

Please remit payment to the Haines Borough Clerk within 14 days of this notice.

A written appeal to this decision must be submitted to the Haines Borough Clerk within 14 days of receipt of this letter.

Sincerely,

A handwritten signature in black ink that reads "Mark Earnest".

Mark Earnest

Haines Borough Manager



**Haines Borough Administration**  
**Mark Earnest, Borough Manager**  
(907)766-2231 • Fax (907)766-2716  
mearnest@haines.ak.us

**May 3, 2013**

Scott Sundberg, General Manager  
Southeast Alaska Backcountry Adventures LLC  
P.O. Box 1426  
Haines, AK 99827

Dear Mr. Sundberg,

The Haines Borough has recently confirmed that your March 3, 2013 heliski accident occurred on Bureau of Land Management (BLM) property. The BLM has confirmed that SEABA did not have a current permit to operate on BLM lands.

**Haines Borough Code states:**

**5.04.080 Conditions applicable to all permits**

A permittee is responsible for complying with all municipal, state, and federal ordinances, statutes, and regulations applicable to the permittee's activities.

**Haines Borough Code also states:**

**5.04.140 Penalties.**

A. Operation of any commercial tour or business enterprise for which a permit is required under this title without a permit, or the failure to follow any permit condition, shall constitute an offense punishable, upon conviction, by a fine not exceeding \$1,000 for each offense plus any surcharge required to be imposed by AS 12.55.039.

Because you operated on BLM land without a valid permit, you were in violation of Borough Code.

The manager has assessed a **\$500** penalty for this violation.

Please remit payment to the Haines Borough Clerk within 14 days of this notice.

A written appeal to this decision must be submitted to the Haines Borough Clerk within 14 days of receipt of this letter.

Sincerely,

Mark Earnest  
Borough Manager

## Michelle Webb

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**From:** Xi Cui  
**Sent:** Friday, March 07, 2014 10:08 AM  
**To:** Michelle Webb  
**Subject:** FW: Heliport

**Categories:** Yellow Category

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**From:** Stacie Turner [<mailto:stacie@aptalaska.net>]  
**Sent:** Thursday, February 13, 2014 9:09 AM  
**To:** Xi Cui  
**Subject:** Heliport

Tracy, I didn't see in my packet where the managers recommendation for the 26 mile heliport is? Did it just not make it into my packet? Donnie

## Michelle Webb

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**From:** Xi Cui  
**Sent:** Friday, March 07, 2014 10:07 AM  
**To:** Michelle Webb  
**Subject:** FW: A title 18 question

**Categories:** Yellow Category

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**From:** Heather Lende [<mailto:hlende@aptalaska.net>]  
**Sent:** Thursday, February 13, 2014 7:55 AM  
**To:** Xi Cui  
**Cc:** Rob Goldberg  
**Subject:** A title 18 question

Hi Tracy--

According to Title 18 on Conditional Use permits (18.50) as detailed in 18.50.030, the manager “shall” make a recommendation to the commission in regards to the heli-port application. I did not see a recommendation report in the packet, and I believe the code requires one, with a report setting forth the reasons for it, with or without specific conditions. That would be very helpful. Will she be at the meeting and do this in person or is this report coming today?

Thanks,  
Heather

## Michelle Webb

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**From:** Xi Cui  
**Sent:** Friday, March 07, 2014 10:07 AM  
**To:** Michelle Webb  
**Subject:** FW: Feb 13, 2014 Planning Commission Meeting  
  
**Categories:** Yellow Category

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**From:** Robert [<mailto:venables@aptalaska.net>]  
**Sent:** Wednesday, February 12, 2014 9:52 PM  
**To:** Xi Cui  
**Cc:** Julie Cozzi  
**Subject:** RE: Feb 13, 2014 Planning Commission Meeting

Nicholas Szatkowski claims that in 2012 the borough attorney instructed the assembly to not grant a similar CUP. Can I/we have a copy – or clarification of that statement?

I will be in town early afternoon and will come by the office. Are we expecting a manager's recommendation on this issue?

Thanks – Robert

---

**From:** Xi Cui [<mailto:xcui@haines.ak.us>]  
**Sent:** Wednesday, February 12, 2014 5:19 PM  
**To:** Andy Hedden ; Danny Gonce; Debra Schnabel; Don Turner III; Heather Lende; Lee Heinmiller; Rob Goldberg; Robert Venables  
**Cc:** Julie Cozzi; Stephanie Scott  
**Subject:** Feb 13, 2014 Planning Commission Meeting

Dear Planning Commissioners,

The Borough has received additional document on item 8A Sundberg Heliport CUP. They are available online:

Letter from Kaiser:

[http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental\\_supporting\\_letter\\_from\\_kaiser.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental_supporting_letter_from_kaiser.pdf)

Letter from Williams:

[http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental\\_haines\\_helipad\\_cup\\_comments\\_from\\_williams.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental_haines_helipad_cup_comments_from_williams.pdf)

Letter from Szatkowski:

[http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental\\_nicholas\\_szatkowskis\\_comments\\_on\\_sundbergs\\_feb\\_2014\\_heliport\\_cup\\_application..pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental_nicholas_szatkowskis_comments_on_sundbergs_feb_2014_heliport_cup_application..pdf)

2012 SEABA CUP File:

[http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental\\_2012\\_seaba\\_cup\\_file.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental_2012_seaba_cup_file.pdf)

Sound Definitions and Tolerances:

[http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental\\_sound\\_definitions\\_and\\_tolerances.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/supplemental_sound_definitions_and_tolerances.pdf)

Thank you.

Tracy

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**From:** Xi Cui

**Sent:** Friday, February 07, 2014 4:57 PM

**To:** 'Andy Hedden '; 'Danny Goncè'; 'Debra Schnabel '; 'Don Turner III'; 'Heather Lende'; 'Lee Heinmiller'; 'Rob Goldberg'; 'Robert Venables '

**Cc:** Julie Cozzi; Stephanie Scott

**Subject:** Feb 13, 2014 Planning Commission Meeting

Dear Planning Commissioners,

The packet for the Feb 13, 2014 PC meeting is ready. The agenda and packet are available in the Borough office, and on-line at the Borough website, or with the following links:

Agenda : [http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/agendas/02-13-14\\_agenda.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/agendas/02-13-14_agenda.pdf)

Packet: [http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/02-13-14\\_agenda\\_packet.pdf](http://www.hainesalaska.gov/sites/default/files/fileattachments/events/planningzoning/fileattachments/02-13-14_agenda_packet.pdf)

The Borough will submit supplemental documents on Item 8A, I will upload them as soon as it becomes available. If you have any questions please contact the Borough.

Have a wonderful weekend.

*Xi Cui "Tracy"*

Planning and Zoning Technician III

Haines Borough

P.O. Box 1209

Haines, Alaska 99827

(907) 766-2231 Ext. 23

Fax: (907) 766-2716

February 13, 2014

To: Haines Borough Planning Commission  
From: Julie Cozzi - Interim Borough Manager  
Re: Manager's Recommendation  
Big Salmon Ventures LLC Conditional Use Permit for Heliport  
Lot 10, Sundberg Subdivision II

On January 27, 2014, Big Salmon Ventures LLC submitted a Conditional Use Permit (CUP) application through its agent Scott Sundberg. The application was determined to be complete because it contains substantially all of the information required by HBC 18.40.130(A)(1)-(9): site description, proposed development, time frame for development, site plan drawn to scale, owner has signed with contact information, legible, fees paid, and applicant statement regarding compliance with conditions. Per HBC 18.50.030(D), I have completed a review of the permit application with staff.

**Recommendation: I recommend a short duration permit of one-year be considered to provide a trial period.** I recognize Big Salmon Ventures LLC has legitimate business reasons for seeking to develop the property as a heliport and many of the factors to be considered by the planning commission in deciding whether to approve the conditional use permit even for a trial period could be viewed differently from my conclusions. Additionally, another condition limiting the total number of days the site could be used during the trial season should be added to the conditions the applicant has already indicated it would accept. This would satisfy neither the applicant nor those in opposition but would further reduce any impacts associated with permit approval.

Under HBC 18.50.040, there are eight criteria to be considered in deciding whether to grant a conditional use permit. Before a conditional use permit is approved, the commission must find that each of the following is met. I have provided my thoughts on each one.

*1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.*

Some residents of the housing development near to the proposed heliport have expressed concerns about noise. While it is reasonable to conclude that living near a heliport would involve a certain amount of inconvenience and noise disturbance, I believe this condition is subjective and may have been met. It is true heliport operations can produce undue noise that would affect adjacent residential properties, but a recent decibel testing seemed to show potentially tolerable levels. Again, noise, nuisance, and danger are quite subjective because what bothers one does not necessarily bother another. Because of this, perhaps a short duration permit of one-year might be considered to provide a trial period that would prove or disprove this.

*2. The development of the use is such that the value of the adjoining property will not be significantly impaired.*

This is necessarily subjective both in general terms and in specific terms. Real estate appraisal guidelines indicate the value of the adjoining property is not affected due to the proximity of a heliport. The value is based on sales in the area.

*3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.*

I believe this requirement is met.

*4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.*

The proposed use does not seem to be consistent with surrounding land uses because the proposed development is next door to residential properties. That said, the applicant does claim that situating a heliport in this location would reduce flight times and overall aircraft noise by reducing the time spent flying over borough and state lands to get to the skiing areas. Additionally, the applicant's proposed conditions including times and days of operation and voluntary shut down for special neighborhood events may enable this use to coexist with the residential neighborhood. This is something a trial period would hopefully show. The borough's comprehensive plan does encourage a heliski management plan that addresses safety, neighborhood quality, heliports, routes and areas of use, monitoring, quality experience, etc. (Objective 3D).

*5. The granting of the conditional use will not be harmful to the public safety, health or welfare.*

This requirement may not have been met. The Borough Comprehensive Plan reads: "In 2011 one business proposed development of a heliport on its land on the Chilkat Lake Road, which raised concerns about neighborhood character, noise and safety. The planning commission and assembly denied the permit based on health, safety and welfare issues..." The applicant has attempted with this new application to mitigate many of the issues that were brought up previously. This makes it a bit difficult to say with certainty that this will or will not be harmful to public safety, health, or welfare.

*6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.*

I believe this condition is not applicable to this application or if literally applicable has been met.

*7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved.*

The applicant has proposed a number of conditions which I can only assume they would comply with if a conditional use permit was granted. Certainly, any permit could be immediately suspended or revoked should any of the conditions not be adhered to. These conditions include restrictions on operating hours, times of year the property would be used as a heliport and voluntary shut downs for special events and a commitment to a specific flight path with GPS verification. The applicant is to be commended for agreeing in advance to these conditions but the planning commission may decide they do not overcome the issues of concern brought by the neighborhood residents.

*8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.*

Seven property owners submitted written comments that were received by the borough prior to February 13, 2014. Five property owners do not support the proposal and expressed concern over safety, noise, pollution, property value and quality of wildlife. The other two written comments are in favor of the permit being granted for economic development and land value reasons. Everyone has their own idea of what adds to quality of life.

Consideration of public input is much more appropriate for the commission than for the borough manager, although I certainly reviewed them. What is "due weight" for me is probably different from what is "due weight" for the commission. I have placed relatively little weight on the comments as opposed to my own assessment of the collective community interest in heliport operations within the borough. Segments of the community will not be happy regardless of the specific recommendation I make or the decision made by the commission. This is partly the reason why I suggest a limited duration permit and an additional permit limitation should the commission decide to grant the permit.

Thom Ely  
POB 1014  
Haines, AK 99827

March 4, 2014

Haines Borough Assembly  
POB 1209  
Haines, AK 99827

Dear Mayor and Assembly,

Please uphold the Planning Commissions denial of Big Salmon Ventures AKA SEABA's Conditional Use Permit for a heliport on their 26-mile property. Commercial aviation does not belong in a residential neighborhood regardless of the general use designation.

If the Assembly overturns this decision, there will be a precedent set for allowing heliports on other properties such as The Funny Farm at Mosquito Lake, 37 Mile and 10 Mile. The solution is to find an appropriate location up the valley for a commercial heliport that is away from residences.

It is not fair to people who live and own property in this subdivision to have the noise, disruption and risk associated with these operations. This issue was recently addressed and denied by the Assembly. We can't keep revisiting issues because the person or company that did not get their way is unhappy.

Sincerely,  
Thom Ely



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-419

Assembly Meeting Date: 3/11/2014

| Business Item Description:                                     | Attachments:                                                                                                                                                                 |
|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject:<br>Ordinance for Assembly Meeting Action Only Minutes | 1. Ordinance 14-02-367<br>2. Excerpt from The Complete Idiot's Guide to Robert's Rules by Nancy Sylvester, pp 204 & 205<br>3. Memo from Mayor<br>4. Memo from Clerk's Office |
| Originator:<br>Mayor Stephanie Scott                           |                                                                                                                                                                              |
| Originating Department:<br>Mayor                               |                                                                                                                                                                              |
| Date Submitted:<br>1/31/14                                     |                                                                                                                                                                              |

| Full Title/Motion:                 |
|------------------------------------|
| Motion: Adopt Ordinance 14-02-367. |

| Administrative Recommendation:                                      |
|---------------------------------------------------------------------|
| The Clerk's Office and the Interim Manager recommend this ordinance |

| Fiscal Impact:       |                 |                        |
|----------------------|-----------------|------------------------|
| Expenditure Required | Amount Budgeted | Appropriation Required |
| \$ 0                 | \$ 0            | \$ 0                   |

| Comprehensive Plan Consistency Review: |                                                                      |
|----------------------------------------|----------------------------------------------------------------------|
| Comp Plan Policy Nos.:<br>N/A          | Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Summary Statement:                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>This ordinance is recommended by the Mayor, Clerk's Office, and the Interim Borough Manager.</p> <p>History: A similar ordinance with other administrative policy recommendations was proposed in 2011 (Ordinance 11-11-277). This ordinance was adopted, but action only minutes were removed by amendment. There were 2 written citizen comments in the 2011 packet speaking against action only minutes (available upon request).</p> |

| Referral:                                                                               |
|-----------------------------------------------------------------------------------------|
| Sent to: _____ Date: _____<br>Recommendation: _____ Refer to: _____ Meeting Date: _____ |

| Assembly Action:                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| Workshop Date(s): _____ Public Hearing Date(s): 2/25/14 & 3/11/14<br>Meeting Date(s): 2/11/14, 2/25/14, and 3/11/14 Tabled to Date: _____ |

**An Ordinance of the Haines Borough amending Haines Borough Code Title 2  
Section 2.10.040 to modify assembly meeting minutes procedures.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 2.10.040 Section 2.10.040 of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

2.10.040 Minutes.

A. Minutes of all regular and special meetings shall be taken by the clerk or the clerk's designee. Audio recording shall also be made of these meetings. Summary notes shall be taken by the manager or committee chair at each assembly work session or committee of the assembly and a report given on the work session or committee meeting at the next regular borough assembly meeting. All approved minutes of regular and special meetings shall be kept by the clerk in the journal of the proceedings of the assembly. All minutes of the assembly shall be distributed by the clerk to the public desiring the same after payment of standard posted copying charges, plus postage and handling costs if delivered by mail.

B. Unless a reading of the minutes of an assembly meeting is requested by a member of the assembly, such minutes may be approved without a reading if the clerk has previously provided each member a copy thereof.

C. An assembly member may request through the mayor the privilege of having a verbatim record of the member's statement on any subject under consideration by the assembly entered in the minutes. Unless a majority of the assembly members object to any such request, such statement shall be entered in the minutes.

D. The clerk, unless directed otherwise by the mayor, and with the consent of the assembly, will always enter in the minutes ~~a synopsis of the discussion~~ **any action, by motion, taken by** ~~on any question coming before~~ the assembly. A vote by the assembly on any subject must be recorded in the minutes of the assembly meeting by the clerk.

...

Haines Borough  
Ordinance No. 14-02-367  
Page 2 of 2

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_  
DAY OF \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Michelle Webb, Interim Borough Clerk

|                                |          |
|--------------------------------|----------|
| Date Introduced:               | 02/11/14 |
| Date of First Public Hearing:  | 02/25/14 |
| Date of Second Public Hearing: | 03/11/14 |

## What to Put in the Minutes (and What to Leave Out)

*Robert's* recommends that minutes contain the following items:

- ◆ Kind of meeting (regular, special, and so on).
- ◆ Name of the organization.
- ◆ Date, time, and place of the meeting.
- ◆ Names of the presiding officer and secretary, or in their absence, the names of their substitutes.
- ◆ The approximate number of members present (optional).
- ◆ The establishment of a quorum (optional).
- ◆ Record of the action taken on the minutes of the previous meeting.
- ◆ The exact wording of each main motion as it was voted on, and whether it passed or failed, along with the name of the maker. In addition, if the vote was counted, the count should be included, as well as the tellers' reports, if any; in roll call votes, the record of each person's vote is included.
- ◆ Any notice given at the meeting. Previous notice is sometimes required, such as with amendments to the bylaws; if any such notice was given at the meeting, it should be included in the minutes.
- ◆ Points of order and appeals.
- ◆ For committee reports, the name of the committee, and the reporting member. If the committee provides a printed report, attach it to the minutes and note that it is attached.
- ◆ The hour of adjournment.

*Robert's* is equally clear about what should *not* be included in the minutes. The following should not be included:

- ◆ The opinion or interpretation of the secretary.
- ◆ Judgmental phrases such as "heated debate" or "valuable comment".



### Robert's Says

Minutes are the written record of the proceedings of a deliberative assembly. They are a record of what was done at the meeting, not what was said at the meeting.



### Parliamentary Pearls

Although it's not necessary to include the full report of the treasurer in the text of the minutes, many groups find it helpful to include the previous balance, income totals, disbursement totals, and current balance in the minutes.

- ◆ Discussion. Minutes are a record of what was *done* at the meeting, not what was *said* at the meeting.
- ◆ Motions that were withdrawn.
- ◆ Name of person who seconded a motion.
- ◆ Flowery language.
- ◆ Reports in detail.
- ◆ Transcripts of the meeting. While some groups choose to have a transcript of the meeting, it should never substitute as the minutes of the meeting.

## Getting the Minutes Approved

The minutes are made official only after they are approved, which usually takes place at the next meeting.

If your organization frequently makes changes to the minutes, you might want to send out the initial, unapproved set with the word "draft" clearly printed on them. Then, when the minutes have been changed and approved, the official minutes can be sent out.

If your organization seldom has changes to the minutes, two sets, one draft and one approved, will probably be unnecessary.

### Sign 'em

After the minutes have been corrected and approved by the membership, they should be signed by the secretary (the president's signature isn't required). The word "approved" and the date of the approval should also be included.

### Book 'em

The official copy of the minutes are the property of the organization. They should be entered in the *minutes book* and kept by the secretary if the organization doesn't have a headquarters office. If there is an office, the official copy of the minutes should be kept there.



### Gavel Gaffs

Although including the words "Respectfully submitted" right before the secretary's signature used to be common practice, it is considered outdated to do so today. Instead, simply sign your name.



### Robert's Says

The *minutes book* is usually a three ring binder, that contains a complete copy of all of the minutes.

# Memorandum

Haines Borough  
Office of the Mayor  
103 Third Avenue S.  
Haines, Alaska 99827  
sscott@haines.ak.us  
Voice (907) 766-2231 ext. 30

February 5, 2014

To: Haines Borough Assembly

Cc: Interim Manager, Julie Cozzi  
Interim Borough Clerk, Michelle Webb

From: Stephanie Scott, Mayor, Haines Borough

Subject: Action Minutes, Discussion Minutes, Verbatim Minutes, Duties of the Clerk

Assembly procedures are governed by Robert's Rules of Order unless we have provided otherwise. With respect to minutes, HBC 2.10.040 (D) provides "otherwise."<sup>1</sup> HBC 2.10.040 (D) authorizes a style of minutes known as "Discussion minutes." See the outline of the three standard styles of minutes in the footnote two below.<sup>2</sup>

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<sup>1</sup> HBC 2.10. 040 (D). The clerk, unless directed otherwise by the mayor, and with the consent of the assembly, will always enter in the minutes a synopsis of the discussion on any question coming before the assembly. A vote by the assembly on any subject must be recorded in the minutes of the assembly meeting by the clerk.

<sup>2</sup> Minutes serve to record what happened in a meeting. Opinion and speculation do not belong in the minutes of a meeting. There are three standard styles of minutes: action, discussion, and verbatim. Each style has a specific use.

- **Action minutes** record the decisions reached and the actions to be taken, though not recording the discussion that went into making the decisions. This is the most common form of minutes used. They include a report of actions taken since the last meeting as well as planned actions. It is important to note who is responsible for upcoming actions. The secretary should save any handouts included with a presentation.
- **Discussion minutes** are lengthy and may include information which is not essential to the focus of the meeting. It may be necessary to keep discussion minutes in a situation where the process behind the decisions may be in question later. Discussion minutes contain everything action minutes do as well as the discussion which lead to the actions decided upon. Do not include

Without a doubt, “action minutes” take less time to prepare. They may have other advantages as well. It is easy to see exactly what action was taken, since the decision to act is itself the focus of the minutes. See the description of essential minutes included in Roberts Rules of Order Revised, Fourth Edition in the footnote below.<sup>3</sup>

No one disagrees that “discussion minutes” are time consuming and preparation of the summary of the conversation that underlies the decision may include mistakes and problematic misrepresentations. See <http://web.mit.edu/brlewis/www/minutes/benefits.html>.

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discussion which does not pertain to the topic at hand. Be sure to record the speaker and the focus of the presentation as it concerns the topic.

- **Verbatim minutes**, like transcripts, are a record of every single word said at a meeting. They are often long and can be difficult to skim for a particular piece of information. With the exception of courtroom proceedings and Congress, a verbatim record of a meeting is rarely necessary. Verbatim minutes will not always follow the agenda.

<<http://www.meetingtomorrow.com/cms-category/how-to-prepare-minutes-for-a-meeting>>

<sup>3</sup> According to Robert’s Rules of Order, Revised, Fourth Edition, from Robert’ Rules Online, minutes should consist of the following, commonly referred to as “action minutes:”

**60. The Minutes.** ... The essentials of the record are as follows:

(a) the kind of meeting, "regular" (or stated) or "special," or "adjourned regular" or "adjourned special";

(b) name of the assembly;

(c) date of meeting and place, when it is not always the same;

(d) the fact of the presence of the regular chairman and secretary, or in their absence the names of their substitutes,

(e) whether the minutes of the previous meeting were approved, or their reading dispensed with, the dates of the meetings being given when it is customary to occasionally transact business at other than the regular business meetings;

(f) all the main motions (except such as were withdrawn) and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn;

(g) and usually the hours of meeting and adjournment, when the meeting is solely for business. Generally the name is recorded of the member who introduced a main motion, but not of the seconder. <http://www.rulesonline.com/rror-10.htm#60>

I asked the Valdez City Manager, John Hozey, about Valdez's minutes and he acknowledged that summarizing a discussion is more "art than science" and "it does take a lot of time."

It sounds like we do something similar to what you do. It is a cross between verbatim and action minutes, where every discussion is summarized to capture the intent, if not every comment. The problem with this approach is that summarizing the discussion is more art than science... My Clerk is very good at this, but even then, she doesn't always have all the technical information to put a particular topic into context. So after she writes up the minutes, she forwards them to me and allows me the chance to edit them as necessary. The end result is usually pretty good, but it does take a lot of time.  
*Email from John Josey to Stephanie Scott, January 31, 2014.*

Valdez has a City Clerk and a Deputy Clerk; population 2012 was 4022.

Action minutes satisfy the legal requirement for a record of the business decisions made by a legislative body. Discussion minutes provide greater context for the decision.

The decision as to form of minutes has returned to the Assembly because of a perceived need to have the minutes of a previous meeting available at the next regularly scheduled meeting of the Assembly. Changing the form of the minutes may or may not result in a satisfactory publication schedule. In my opinion, the only way to guarantee that minutes be available at the next regularly scheduled meeting is to say so.

Thus, regardless of the form of minutes that you prefer, I recommend that code be revised to require a publication schedule. The following sentence could be added to HBC 2.10.040 (D):

**Minutes of a regularly scheduled meeting of the Assembly will be provided for approval at the subsequent regularly scheduled meeting.**

Alternatively, publication of regular meeting minutes according to a particular schedule could be added to the Duties of Clerk. Please see the Clerk's job description attached.

Attachment: Duties of the Haines Borough Clerk

HAINES BOROUGH  
POSITION DESCRIPTION

**Borough Clerk**

**SUMMARY:**

The Borough Clerk is a full-time, salaried employee and an officer of the borough, hired by the assembly to work under the direct supervision of the borough manager. The Borough Clerk supervises activities of the Office of the Clerk and is responsible for carrying out the statutorial and professional duties of a municipal clerk. The Borough Clerk works closely with the mayor, borough Assembly, borough manager, other borough officers, department heads, committees, commissions, and the public. This job description reflects the essential duties and responsibilities as outlined in borough charter and code, Alaska statute, and as assigned by the administration. It does not prescribe or restrict the tasks that may be assigned.

**OFFICE MISSION STATEMENT:**

The Borough Clerk's Office is committed to conducting the duties of the office in an ethical, friendly, and efficient manner to ensure an effective link between citizens, local governing officials, and other government agencies.

**EXAMPLES OF DUTIES:**

1. Manage contractors, as assigned, and supervise the Administrative Assistant.
2. Prepares borough assembly agenda and packets and compiles necessary information for presentation, drafts ordinances as requested, attends borough assembly regular and special meetings, and records the official minutes.
3. Arranges publication of all borough notices; publicizes meetings, ordinances, resolutions, and proclamations as appropriate.
4. Manages the borough's records and develops retention schedules and procedures for inventory, storage, and destruction of records as necessary. Receives and responds to public records and disclosure requests.
5. Supervises the maintenance of an indexed file of borough ordinances, resolutions, codes, and other public records.
6. Keeps a record of policies, procedures and practices adopted by the assembly or established as part of the systematic administration of the borough.
7. Has custody of the corporate seal to attest and certify all official documents as needed.
8. Coordinates codification of all adopted ordinances of a general and permanent nature, and distribute updates to all holders of the code book.
9. Manages the recruitment of borough personnel, including advertising, receiving applications and responding to inquiries, transmitting the applications to the appropriate person, and maintaining a record of job descriptions and applications.

10. Receives and keeps confidential personnel records including evaluations, reprimands, grievances, resignations, etc., as directed by Title 2.
11. Administers oaths of office and other oaths and affirmations, and certifies affidavits and depositions pertaining to local affairs and business which may be used in court proceedings to the State. Acts as a notary for municipal documents.
12. Functions as the borough's election supervisor and conducts borough elections in accordance with state and borough laws. Acts as a voter registrar.
13. Receives and date stamps all mail addressed to the Office of the Clerk, the borough manager, and the mayor; answers citizen inquiries.
14. Issues various permits and licenses as prescribed in the borough code. Makes forms available, developing new ones as needed.
15. Coordinates the calendar for use of the assembly chambers and for any assembly, committee or other public use activities.
16. Keeps the chronological file of correspondence for the Borough.
17. Operates office machines and assists, as needed, with ordering maintenance and supplies.
18. Countersigns warrants, checks, etc. after same have been authorized by the assembly. Countersigns and seals all bonds.
19. Acts as the parliamentary advisor to the assembly.
20. Is bonded by the Borough for the faithful performance of these duties.
21. Performs such additional duties as state statute and borough ordinances prescribe.
22. Prepares annual and periodic bid and proposal documents, as directed by the borough manager.
23. Drafts, facilitates, and monitors contracts agreements, use permits, and leases. Provide timely notification of expiring terms.
24. Provides other assistance to the borough manager, mayor, and assembly, as requested.

### **KNOWLEDGE AND ABILITIES :**

The requirements, demands and characteristics listed below are representative of the knowledge, skill and/or ability required to successfully perform the essential job functions. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Must have excellent computer skills and be familiar with personal computer software programs, including, but not limited to, word processing, spreadsheet, desktop publishing, and website editing.
2. Must have keyboarding skills and the ability to accurately type at least 45 wmp.
3. Knowledge of office practices, procedures, filing systems, and principles.

4. Knowledge of grammar, spelling, punctuation, and styles of business and government writing.
5. Knowledge of local government in Alaska.
6. Skill in information control procedures and techniques.
7. Ability to learn, interpret, apply, and consolidate priority information.
8. Ability to prepare complete and concise reports and correspondence.
9. Ability to maintain effective working relationships and communications with the public and local, state, and federal officials.
10. Ability to take notes, transcribe, and render comprehensive minutes of the official meetings.

**EMPLOYMENT STANDARDS :**

1. Minimum High school graduation or equivalent. A bachelor's degree is preferred, but the assembly may substitute experience for education.
2. Five years of secretarial, office management, or administrative experience. Municipal experience preferred.
3. Must have the ability to accurately type at a speed of at least 45 wpm.
4. Must be skilled at personal computer operation, including, but not limited to, word processing, desktop publishing, and website maintenance programs.
5. Must hold a valid Alaska drivers license.

**WORK CONDITIONS & ENVIRONMENT :**

1. While performing the duties of this job, the employee is regularly required to sit, use hands to operate a computer keyboard, or equipment controls; and to talk and hear. The employee is frequently required to reach with hands and arms, to stand, walk, climb, balance, or crouch. The employee frequently moves about to coordinate work. The ability to occasionally negotiate stairs is important.
2. The employee must occasionally lift and/or move up to 25 pounds. The employee must have clear close, distance, and color vision.
3. The noise level in the work environment is usually quiet.



# Memo

## From the Interim Clerk

Date: February 6<sup>th</sup>, 2014  
To: Haines Borough Assembly  
From: Michelle Webb, Interim Borough Clerk  
Re: Proposed Ordinance 14-02-367 – Action Only Minutes

The Clerk's Office is strongly in favor of a move to action only minutes. Changing borough code to allow for action only minutes would not only increase the efficiency of producing minutes post-meeting, but would also reduce the borough's exposure to liability. By attempting to capture a summary of a speaker's comments, the Clerk is forced to make choices which words, thoughts, and comments best represent each speaker's sentiment. This is a very difficult and time consuming task which can sometimes lead to unintended misrepresentation of a speaker. Additionally, there has been at least one case when the summarized written statement taken down in minutes has been used against the borough later in legal cases. It is difficult to predict how a summarized statement will be read at a future date, when the connotation of the statement and larger context of the conversation is no longer fresh.

The code would continue to require an audio recording. The Clerk's Office feels that this is a much better solution for individuals wishing to understand how a decision was reached or what the comments at a meeting were.

Thank you for your consideration.

Michelle Webb  
Interim Clerk



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 14-422  
Assembly Meeting Date: 3/11/14

| Business Item Description:                                           | Attachments:                                                                                                                |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Subject:<br>Amend Title 18 to decline appeals without grounds stated | 1. Ordinance 14-02-369<br>2. Planning Commission Recommendation<br>3. Memo from Borough Attorney Regarding St. Clair Appeal |
| Originator:<br>P&Z Technician III & Planning Commission              |                                                                                                                             |
| Originating Department:<br>Planning & Zoning                         |                                                                                                                             |
| Date Submitted:<br>1/9/14                                            |                                                                                                                             |

| Full Title/Motion:                 |
|------------------------------------|
| Motion: Adopt Ordinance 14-02-369. |

| Administrative Recommendation: |
|--------------------------------|
|                                |

| Fiscal Impact:       |                 |                        |
|----------------------|-----------------|------------------------|
| Expenditure Required | Amount Budgeted | Appropriation Required |
| \$                   | \$              | \$                     |

| Comprehensive Plan Consistency Review: |                                                                      |
|----------------------------------------|----------------------------------------------------------------------|
| Comp Plan Policy Nos.:<br>N/A          | Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Summary Statement:                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| This ordinance is recommended by the planning commission. A memo from the Borough Attorney from the St. Clair appeal of a planning commission decision recommended the planning commission decline to hear appeals in which the particular grounds for the appeal have not been specified. The planning commission wishes to codify this statement into their appeal process. |

| Referral:       |           |               |  |
|-----------------|-----------|---------------|--|
| Sent to:        |           | Date:         |  |
| Recommendation: | Refer to: | Meeting Date: |  |

| Assembly Action:                             |                                           |
|----------------------------------------------|-------------------------------------------|
| Workshop Date(s):                            | Public Hearing Date(s): 2/25/14 & 3/11/14 |
| Meeting Date(s): 2/11/14, 2/25/14, & 3/11/14 | Tabled to Date:                           |

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.30.050 Appeals to the Commission to conform to the requirements of filing an appeal.**

**BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:**

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance will become effective immediately upon adoption.

Section 4. Amendment of Section 18.30.050. The definition for "Agriculture, personal use" in Section 18.20.020 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE  
**STRIKETHROUGH** ITEMS ARE DELETED

**18.30.050 Appeals to the commission.**

A. The commission shall decide at its next regularly scheduled meeting whether to rehear the manager's decision. **The commission shall decline to hear appeals in which the particular grounds for the appeal have not been stated.** Any aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should rehear the manager's decision. If the commission chooses to rehear the decision, it may choose to rehear the entire decision, or any portion thereof.

B. If the commission decides to rehear a decision, or any portion thereof, it shall then immediately do so at that meeting and make its decision.

. . .

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

\_\_\_\_\_  
Michelle L. Webb, Interim Borough Clerk

Date Introduced: 02/11/14  
Date of First Public Hearing: 02/25/14  
Date of Second Public Hearing: 03/11/14

Haines Borough  
**BOROUGH ASSEMBLY  
ACTION REQUEST**

DATE: January 9, 2014

TO: Borough Assembly

FROM: Haines Borough Planning Commission

**PLANNING COMMISSION ACTION:** M/S Venables moved to “recommend the Assembly adopt the proposed draft ordinance to amend Haines Borough Code 18.30.050(A)”. The motion passed unanimously.

**RATIONALE:** According to the Borough attorney’s memo regarding appeal procedure, the attorney recommended the Planning Commission shall decline to hear appeals where no grounds for appeal are specified. Thus, the Planning Commission decided to amend the code by adding one sentence stating the Planning Commission will decline to hear an appeal in which the particular grounds for the appeal have not been stated.

**PLANNING COMMISSION REQUEST:** for the Borough Assembly to amend HBC 18.30.050(A) to read:

A. The commission shall decide at its next regularly scheduled meeting whether to rehear the manager’s decision. **The commission shall decline to hear appeals in which the particular grounds for the appeal have not been stated.** Any aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should rehear the manager’s decision. If the commission chooses to rehear the decision, it may choose to rehear the entire decision, or any portion thereof.

SUBMITTED BY \_\_\_\_\_



(signature)

Rob Goldberg  
Planning Commission Chairman

HAINES BOROUGH, ALASKA  
ORDINANCE No. xx-xx-xxx

Draft

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE  
TITLE 18 SECTION 18.30.050 APPEALS TO THE COMMISSION TO CONFORM TO THE  
REQUIREMENTS OF FILING AN APPEAL**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Purpose. This ordinance amends Title 18 Section 18.30.050 to conform to the requirements of filing an appeal.

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
**STRIKETHROUGH** ITEMS ARE DELETED

**HBC 18.30.050 Appeals to the commission.**

An appeal made to the commission of a decision by the manager shall be requested by filing with the clerk, within 10 days of the date of the decision appealed, a written notice of appeal stating with particularity the grounds for the appeal.

A. The commission shall decide at its next regularly scheduled meeting whether to rehear the manager's decision. **The commission shall decline to hear appeals in which the particular grounds for the appeal have not been stated.** Any aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should rehear the manager's decision. If the commission chooses to rehear the decision, it may choose to rehear the entire decision, or any portion thereof.

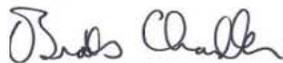
B. If the commission decides to rehear a decision, or any portion thereof, it shall then immediately do so at that meeting and make its decision.

...

**BOYD, CHANDLER & FALCONER, LLP**  
Attorneys At Law  
Suite 302  
911 West Eighth Avenue  
Anchorage, Alaska 99501  
Telephone: (907) 272-8401  
Facsimile: (907) 274-3698  
bcf@bcf.us.com

## **MEMORANDUM**

**TO:** HAINES BOROUGH PLANNING COMMISSION



**FROM:** BROOKS CHANDLER  
BOROUGH ATTORNEY

**DATE:** NOVEMBER 14, 2013

**RE:** APPEAL FROM DENIAL OF PLAT APPLICATION  
C-207-TL-0620

---

Jila Stuart asked I provide you with legal advice regarding the above-referenced appeal. Based on our review of the plat application and related documents and applicable provisions of the Borough code we have concluded as follows:

1. The Planning Commission does not have legal authority to grant exemptions from the requirement to extend utilities to subdivisions where utility service is "available" within 200 feet of an existing property line of the parcel being subdivided.

2. The only issue for consideration if the Commission decides to hear the appeal is whether utility service is “available” within 200 feet of the existing property.

3. It is possible that for technical reasons utility service is not “available” through connection to the existing main within 200 feet of the property being subdivided but that requires input from public works.

The basis for this conclusion is discussed in greater detail below.

## **FACTS**

On May 29, 2013 the Borough received an application to subdivide a 6.9 acre parcel of property within USS 207 (“the Property”) into two lots. The southern end of the Property is adjacent to the intersection of Sunshine Street and North Sawmill. The northern end of the Property extends north of the end of Moose Lane. The Borough’s existing water system runs parallel to Sunshine to the Sunshine-N. Sawmill intersection. This is less than 200 feet from the Property. There is a Borough sewer line across N. Sawmill from the Property. The sewer line is also within 200 feet of the Property. There is also a Borough water line that extends part way down Moose Lane. This line is more than 200 feet from the Property.

The plat application did not show any utility easements and it was apparent the property owner did not intend to connect the northerly lot (identified as Lot 2 on the survey submitted with the plat application) to the water and sewer lines at the southerly end of the property. Borough staff met with the property owner on October 2 and informed her the Property did not qualify for an exemption from the utility connection requirement. The property owner indicated she planned to appeal to the Commission. On October 8, 2013 the Borough planner denied the short plat application. A timely appeal followed.

In her appeal the property owner indicates she is formally requesting an “exemption” from the utility connection requirement. This request is based on the size, shape and location of the property, the expense associated with extension of utilities and a belief that she would actually be required to tie in to the existing utility infrastructure at a point 1200 feet away from her property rather than at the Sunshine-N. Sawmill intersection for “technical reasons”.

## **LAW**

Subdivision of property within the Borough is governed by Chapter 18.100 and other general provisions of Title 18. Persons dividing their property into two or more parcels must

obtain a “platting action permit”<sup>1</sup>. If a permit is denied the property owner can appeal the denial to the Commission but the Commission is not required to decide every appeal. Instead, the Commission first decides whether to even consider the appeal. It is only after the Commission has decided to hear an appeal that an examination of the merits of the appeal occurs and a decision whether to grant or deny the appeal is made and documented with findings of fact<sup>2</sup>.

General approval criteria applicable to all platting action permit applications are contained in Chapter 18.60. One of the general criteria states, “[i]f property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems”.<sup>3</sup> An exemption<sup>4</sup> from this requirement is allowed “[w]hen, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of the property”. In addition, “[w]hen public sanitary sewer and/or water service becomes available, the developer will be required to connect to the public utility within six months”. The definitional section of Title 18<sup>5</sup> does not contain a definition of “available”.

Subdivisions of property within the Borough may proceed under either “short plat” or “long plat” requirements and procedure. This application proceeded under the “short plat” procedure and criteria because it involved a subdivision of a single lot into less than five lots. Short plats are subject to the requirements of HBC 100.070-095<sup>6</sup> and are also subject to the general criteria of HBC 18.60.010-020<sup>7</sup>. The exemption from utility connection standards contained in HBC 18.60.010(I) is repeated in HBC 18.100.092(A)(2):

When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of any exterior property line of a new subdivision in which all lots are one acre or

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<sup>1</sup>HBC 18.30.010

<sup>2</sup>HBC 18.30.050.

<sup>4</sup>Title 18 also allows for “variances” in certain circumstances. HBC 18.80.050. A “variance” is an “adjustment” or “relaxation” of standards not an exemption from the standard. There is no variance applicable to the utility connection requirement.

<sup>5</sup>HBC 18.20.020

<sup>6</sup>HBC 18.100.030(B).

<sup>7</sup>HBC 18.100.020.

larger in area, the developer may request an exemption from the requirements to connect to public utilities.

## **ANALYSIS**

Whether the Commission decides to hear the appeal is entirely at the Commission's discretion. This is not a situation where the Commission is legally required to consider the appeal.

If the Commission does decide to hear the appeal it is clear from the code provisions referenced above that the only issue is whether there is some reason the existing utility line at the Sunshine-N. Sawmill intersection should be found to be not "available" to the southerly portion of the property proposed for subdivision. That the proposed lot line for Lot 2 is more than 200 feet away from existing utilities is irrelevant. The 200 foot measurement is taken from "any" exterior property line. Similarly, the cost of extending utilities is not an appropriate factor to consider<sup>8</sup>.

The dictionary definition of "available" is "suitable or ready for use".<sup>9</sup> Accordingly, if the Commission is considering the appeal it needs to determine if there is some reason the existing utility line at the Sunshine-N. Sawmill intersection is not "suitable" for use in extending utility services to nearby property. In our opinion, "available" as used in the referenced provisions of Title 18 does not mean the "best" location at which to extend services for technical or practical purposes. It is only if there is some reason the existing utility line is not "suitable" for use as a connection point that the appeal from the denial of the exemption request should be granted.

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<sup>8</sup>Even in variance applications cost of compliance is not a determining factor. HBC 18.80.050(C)(5).

<sup>9</sup>Webster's College Dictionary p.91 (Random House 2<sup>nd</sup>. Ed. 1997).



Haines Borough  
Assembly Agenda Bill

Agenda Bill No.: 13-376

Assembly Meeting Date: 3/11/14

| Business Item Description:                                                          | Attachments:                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject:<br>Amend Title 13 to Change a Number of Water and Sewer Billing Procedures | 1. Ordinance 13-10-352<br>2. GAS Recommendations from 12/3/13 Meeting<br>3. 10/17/13 Memo from Jila Stuart, CFO<br>4. 2/6/13 Memo from Jila Stuart, CFO<br>5. Proposed Substitute Ordinance<br>6. Rate Study Price Quote |
| Originator:<br>Jila Stuart, CFO (Agenda Bill by Clerk's Office)                     |                                                                                                                                                                                                                          |
| Originating Department:<br>Finance                                                  |                                                                                                                                                                                                                          |
| Date Submitted:<br>10/11/13                                                         |                                                                                                                                                                                                                          |

**Full Title/Motion:**

Motion: Adopt Ordinance 13-10-352.

**Administrative Recommendation:**

This ordinance is recommended by the Interim Manager and Chief Financial Officer.

**Fiscal Impact:**

| Expenditure Required | Amount Budgeted | Appropriation Required |
|----------------------|-----------------|------------------------|
| \$                   | \$              | \$                     |

**Comprehensive Plan Consistency Review:**Comp Plan Policy Nos.:  
N/AConsistent:  Yes  No**Summary Statement:**

This ordinance is recommended by the borough manager and chief financial officer. The ordinance was introduced on 10/22/13, sent to the GAS committee. That committee met on 12/3/13 and proposed advancement to the first hearing. CFO, Jila Stuart, has provided the additional information requested at the 10/22/13 meeting recommends the attached substitute ordinance. This ordinance had public comment at the 2/11/14 meeting. However, the GAS committee and borough assembly were unable to consider the ordinance fully as documentation was missing from the packet. A substitute ordinance was successfully adopted at the 2/25/14 meeting and a second public hearing date was set.

**Referral:**

Sent to: Governmental Affairs &amp; Services Committee Date: 10/22/13

Recommendation: See Attachments Refer to: First Public Hearing Meeting Date: 12/3/13

**Assembly Action:**

Workshop Date(s):

Public Hearing Date(s): 2/11/14 &amp; 3/11

Meeting Date(s): 10/22/13, 1/14/14, 2/11, 2/25, &amp; 3/11 Tabled to Date:

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 13 TO REVISE AND CLARIFY WATER AND SEWER SERVICE PROCEDURES.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective May 1, 2014.

Section 4. Amendment of Section 13.04.050. Haines Borough Code 13.04.050 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED

**13.04.050 Application for service.**

A. Application Form. Each applicant for water service shall sign an application form provided by the chief fiscal officer giving the date of application, the date the applicant desires service to begin, purpose for which service is to be used, the address for mailing of the billings, the size of water meter required, and such other information as the borough may reasonably require.

B. An application for water service hook-up shall be processed as follows:

1. The applicant shall provide the information required by subsection (A) of this section and shall submit the required fees and charges as set out in HBC 13.04.045, if applicable.

a. Application Fee. There shall be a nonrefundable water hook-up application fee for individual water hook-ups. There shall be a special nonrefundable application fee if the application is for water service in a subdivision or development involving an extension of water mains or the installation of four or more water hook-ups (HBC 13.04.045). The purpose of the application fee is to cover administrative costs to review the application.

b. Permit Fee. If the proposed hook-up requires permits or approvals from other agencies, the borough may either require the applicant to obtain these approvals at the applicant's expense prior to approval of the hook-up application, or the applicant shall submit the permit fee and an administrative charge (HBC 13.04.045) to the borough and the borough shall make application for the required permits.

2. The applicant shall sign a statement on the application verifying that the applicant agrees to be responsible for any and all of the borough's costs above the minimum hook-up fee. By signing the application, the applicant agrees to abide by the requirements of this chapter. The application is a request for service and does not bind the borough to furnish service.

3. Hook-Up Fee. The purpose of the hook-up fee is to pay for the borough's cost of material, labor, and equipment to install the water service line from the water main to the applicant's property line. The hook-up fee shall be the minimum fee amount, plus any additional cost to the borough related to the actual hook-up installation. When the department approves the application, the applicant shall submit the minimum hook-up fee as required in

(B)(2) of this section, as well as the expansion charge as required by HBC 13.04.055. Following full payment of these fees, the chief fiscal officer shall acknowledge payment on the application form. Provided all other approvals are complete, the chief fiscal officer's record of receipt of fees constitutes final approval of the application. The hook-up shall not occur prior to full payment of fees and final approval of the application. **The water service hook-up fee and any other fees shall be a lien against the property served in the same manner and to the same extent as a lien for special assessments and shall be enforced in the same manner provided for special assessment liens.**

4. Inspection Fee. If, in situations such as subdivisions or in local improvement district projects, the borough does not perform the work to connect the water service from the water main to the adjacent property line, the applicant shall pay an inspection fee for each hook-up in lieu of a hook-up fee. If the project involves a water main extension, there shall be an additional minimum inspection fee for the inspection of the first 100 feet of main extension or portion thereof, and an additional charge for each foot over 100 (HBC 13.04.045).

Section 5. Amendment of Section 13.04.150. Haines Borough Code 13.04.150 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED

#### **13.04.150 Main extensions.**

A. Water main extensions may be installed to areas not presently served with water only after authorization of the assembly by resolution and only in accordance with plans, specifications, and methods of funding approved by the assembly.

B. The owners of property adjacent to or benefiting from a water main extension shall bear all costs of the main extension, including fire hydrants and water service lines, unless all or a portion of such costs are paid for by grant funds. The costs borne by the property owners shall also include design, permitting, construction, and inspection costs. The owners shall pay these costs through an owner-built or local improvement district, or any other method of payment or financing authorized by the assembly by resolution.

C. Locations of Extensions. The department will make water main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extensions shall be obtained in the name of the borough along with all rights and title to the main at the time of installation.

D. All main extension or customer service line work performed on public property or utility easement, unless performed by the borough, shall be performed by a contractor licensed by the state. As a prerequisite to commencing any work on the utility, the contractor shall furnish the borough with:

1. State of Alaska contractor's license;
2. Proof of worker's compensation insurance, if required by law;
3. A bond in the amount of \$5,000;
4. Other proof of capability to perform such work as required by the borough.

The contractor shall provide the borough with accurate as-built drawings for the work within 45 days of the completion of the installation. If the borough has not received accurate as-built drawings by the end of the 45 days, water service shall be discontinued to those properties served by the project.

**E. If a property owner makes an application to have the department extend a water main to serve the owner's property, the department may enter into a refund agreement with the owner under which the owner may receive a refund for part of the cost of constructing the extension. If the department approves the application**

and enters into a refund agreement with the owner, the owner will pay the department, prior to construction of the extension, a connection charge equal the estimated cost of constructing the extension as determined by the department. Thereafter, the department will collect a connection charge from any property owner who, within 20 years of the completion of the extension, connects to the extension with a service line. The amount of the subsequent connection charges shall be equal to the actual cost of the construction of the extension, divided by the total number of connection charges collected for that extension. The department will also charge a five percent (5%) administration fee whenever a connection charge is assessed. Whenever connections to the extension are approved by the department and connection charges are collected for such connections, the amounts of such connection charges shall be proportionally refunded to all persons or entities that have previously paid a connection charge. Refunds will be allowed only when service line connections are directly tapped to an extension. Refunds will not be allowed when additional extensions are connected to an extension. Refunds to an owner who pays a construction charge will follow the title of the property initially served by the extension.

Section 6. Amendment of Section 13.04.160. Haines Borough Code 13.04.160 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
STRIKETHROUGHS ARE BE DELETED

### **13.04.160 Service charges.**

A. Service Connection Charges. At the time the applicant files for initial service or for a change in service size or location, the applicant shall submit with the application the minimum service connection charge in accordance with the rates and procedures specified in HBC 13.04.045 and 13.04.050. The final signing of the application form will verify the applicant's understanding that the applicant will be liable for the borough's actual cost of installing the connection from the main to the property line. Additional costs, if any, shall be billed at the completion of the work. The chief fiscal officer shall calculate the bill upon completion of the work by the borough for the customer, based upon the actual costs of labor and material, a reasonable charge for equipment used, and an allowance of 15 percent of such costs and charges for overhead expenses.

B. Meter Installation Fee. When a meter is installed **by the department** as per HBC 13.04.170, the customer shall pay a water meter installation fee (HBC 13.04.045), payable at the date of application. This charge is intended to cover the cost of installation of the meter, not the value of the meter.

**C. Meter Rental Fee. When a meter is installed as per HBC 13.04.170, the customer shall pay a one-time water meter rental fee equal to the cost of the meter, payable at the date of application.**

~~D.~~ Meter Inspection Fee. The authorized installation of any meter by other than borough personnel shall require an inspection by the department, or an assigned representative thereof, for a fee as set out in HBC 13.04.045, to guarantee the adequacy of the installation and to seal the meter.

~~E.~~ Meter Testing Fee. The meter testing fee shall be charged as per HBC 13.04.190.

**EE.** Frost Bottom Replacement. Frost bottoms broken through freezing of the customer service line shall be the responsibility of the customer. A fee as set out in HBC 13.04.045 shall be charged for frost bottom replacement.

**FG.** Meter Repair or Replacement. Meters broken through freezing or abuse of the customer shall be the responsibility of the customer. The costs of meter replacement or repair shall be paid for by the customer as replacement cost, to include the cost of the meter or meter part and the labor and materials required for its repair or replacement, plus a 15 percent overhead charge.

Section 7. Amendment of Section 13.04.180 Haines Borough Code 13.04.180 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
STRIKETHROUGHS ARE BE DELETED

**13.04.180 Commercial Customers required to have metered water service.**

A. All public, commercial, or industrial buildings constructed after May 5, 1975, and requiring water service shall have metered water service. ~~The cost of the meters shall be added to the water service hook-up fee.~~

B. Building owners applying for a change of use requiring water service shall have metered service. ~~The cost of the meter shall be added to the water service hook-up fee.~~

Section 8. Amendment of Section 13.04.270. Haines Borough Code 13.04.270 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
STRIKETHROUGHS ARE BE DELETED

**13.04.270 Billing and payment.**

A. Responsibility of Property Owners. The rates and charges established either in this chapter or as specified in the current assembly-approved water-sewer rate schedule shall be collected from the owners of the premises receiving service. Passage and publication of the ordinance codified by this chapter shall be deemed notice to all owners of real estate of their liability for water service supplied to any occupant or user of such service on their property.

B. Meter Reading – Billing. Water meters will be read and customers billed on the basis of those readings. Meters shall be read near the twentieth day of each month and customers billed before the end of that month. Residential customers will be billed every month before the end of the month at the rates specified in the current assembly-approved water-sewer rate schedule.

C. Records. The department will keep an accurate account on its books of all readings of meters.

D. Payment of Bills. Each bill rendered shall be due when mailed. If the bill is not paid by the ~~twentieth day of the month following~~ **billing due date specified on the bill**, the account shall be considered delinquent.

E. Delinquent Accounts.

1. Delinquent Notice. A reminder of account delinquency may be sent, at the discretion of the chief fiscal officer, to each delinquent customer on or after 10 days after the account has become delinquent.

2. Turn-Off or Court Notice. On or after 15 days after an account becomes delinquent, a turn-off notice or a letter of intent to go to small claims court shall state a date on or after which either the water will be turned off or court action will be initiated, if the delinquent account is not paid in full prior thereto. Such date will not be less than five and no more than 15 days from the date of notice. A delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.

3. Service Turn-Off. On the turn-off date, the authorized department official or other agent of the borough shall turn off the service. The borough shall not be liable to tenants for damages resulting from water turn-off because of a landlord's failure to pay delinquent accounts.

4. Service Charge. In all instances where water has been turned off because of a delinquent account, a nonrefundable connection/service charge shall be made as specified in the current assembly-approved water-sewer rate schedule for the termination and restoration of services in addition to replacement of the cash deposit as required in HBC 13.04.060(B).

5. Interest Charges. Accounts will be charged one and one-half percent interest per month after becoming delinquent ~~for 30 days~~.

**6. Liens. If a lien has been recorded, any delinquent amount owed to the utility shall constitute a lien upon the real estate for which water service is supplied, and the utility is authorized to file sworn statements showing such delinquencies in the office of the recorder of the Haines recording district.**

F. Charges for Partial Month. A customer shall be considered to be receiving water service as long as the customer's control valve is turned on. Turn-on and shut-off procedures are specified in HBC 13.04.280 and 13.04.290, and fees are specified in the current assembly-approved water-sewer rate schedule. If service is for only a portion of the billing month, a nonmetered customer shall be billed as follows: Up to 15 days in a calendar month – one-half the monthly charge; 16 days or more in a calendar month – full monthly charge. Metered customers shall be billed the flat rate plus standard charges for water usage registering on their meter.

G. Exemptions and Adjustments to Charges. The manager and the chief fiscal officer shall have the authority to make all necessary adjustments or exemptions to the charges established in this chapter when directed to do so by the assembly or if, in the opinion of the manager or chief fiscal officer, such actions are in the public interest. Any adjustments or exemptions shall be made a part of the borough's public financial records along with an authorizing statement by the responsible party as to the reasons for the action taken. The decision of the manager or chief fiscal officer shall be final unless overruled by the assembly.

Section 9. Amendment of Section 13.04.280(A). Haines Borough Code 13.04.280(A) is amended, as follows:

NOTE: STRIKETHROUGH ITEMS ARE DELETED

#### **13.04.280 Discontinuance of service.**

A. On Customer Request. ~~Each customer about to vacate any premises supplied with water service by the department shall give the borough written notice of the customer's intentions at least two days prior thereto, specifying the date service is to be discontinued; otherwise, the customer will be responsible for all water supplied to such premises until the borough receives notice of vacation.~~

~~4-~~ If the customer requests that the control valve be turned off, the request shall be accompanied by the minimum shut-off fee as specified by the current assembly-approved water-sewer rate schedule. Upon receipt of the shut-off fee, the borough will shut off the valve

within four days and will bill the customer for any shut-off fees in excess of the amount paid, computed at an hourly rate as specified by the current assembly-approved water-sewer rate schedule. Once the control valve has been turned off, no monthly bill will be rendered until the customer requests that the valve be turned on.

~~2. If the customer gives notice of vacation but does not desire that the control valve be turned off, the customer will be liable for the monthly base charge as specified by the current assembly-approved water-sewer rate schedule. If any water registers on the meter, the customer will also be liable for the gallonage charges.~~

Section 10. Amendment of Section 13.08.020. Haines Borough Code 13.08.020 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED

### **13.08.020 Main extensions.**

A. A sewer main extension may be installed to an area not presently served with sewer only after authorization of the assembly by resolution and only in accordance with plans, specifications, and methods of funding approved by the assembly.

B. The owners of property adjacent to or benefiting from a sewer main extension shall bear all costs of the main extension, including manholes and sewer service lines, unless all or a portion of such costs are paid for by grant funds. The costs borne by the property owners shall also include design, permitting, construction, and inspection costs. The owners shall pay these costs through an owner-built or local improvement district or any other method of payment or financing authorized by the assembly by resolution.

C. Locations of Extensions. The department will make sewer main extensions only on rights-of-way, easements, or publicly owned property. Easements or permits secured for main extension shall be obtained in the name of the borough along with all rights and title to the main at the time of installation.

D. All main extension or customer service line work performed on public property or utility easement, unless performed by the borough, shall be performed by a contractor licensed by the state. As a prerequisite to commencing any work on the utility, the contractor shall furnish the borough with:

1. State of Alaska contractor's license;
2. Proof of worker's compensation insurance, if required by law;
3. A bond in the amount of \$5,000;
4. Other proof of capability to perform such work as required by the borough.

The contractor, or the superintendent of public works if work is performed by the borough, shall provide the borough with accurate as-built plans for the work within 45 days of the completion of the installation.

**E. If a property owner makes an application to have the department extend a sewer main to serve the owner's property, the department may enter into a refund agreement with the owner under which the owner may receive a refund for part of the cost of constructing the extension. If the department approves the application and enters into a refund agreement with the owner, the owner will pay the department, prior to construction of the extension, a connection charge equal the estimated cost of constructing the extension as determined by the department. Thereafter, the department will collect a connection charge from any property owner who, within 20 years of the completion of the extension, connects on to the extension**

**with a service line. The amount of the subsequent connection charges shall be equal to the actual cost of the construction of the extension, divided by the total number of connection charges collected for that extension. The department will also charge a five percent (5%) administration fee whenever a connection charge is assessed. Whenever connections to the extension are approved by the department and connection charges are collected for such connections, the amounts of such connection charges shall be proportionally refunded to all persons or entities that have previously paid a connection charge. Refunds will be allowed only when service line connections are directly tapped to an extension. Refunds will not be allowed when additional extensions are connected to an extension. Refunds to an owner who pays a construction charge will follow the title of the property initially served by the extension.**

Section 11. Amendment of Section 13.08.120(B). Haines Borough Code 13.08.120(B)(3) is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED

### **13.08.120 Application for service.**

A. Application Form. Each applicant for sanitary sewer service shall sign an application form provided by the chief fiscal officer giving the date of application, the date the applicant desires service to begin, purpose for which service is to be used, the billing address, the construction standards of the private service line, and such other information as the borough may reasonably require.

B. Applications for sewer service hook-up shall be processed as follows:

1. The applicant shall provide the information required by subsection (A) of this section and shall submit the required fees and charges as specified in the current assembly-approved water-sewer rate schedule.

a. Application Fee. There shall be a nonrefundable sewer hook-up application fee for individual sewer hook-ups. There shall be a special nonrefundable application fee if the application is for sewer service in a subdivision or development involving an extension of sewer mains or the installation of five or more sewer hook-ups. The purpose of the application fee is to cover administrative costs to review the application.

b. Permit Fee. If the proposed hook-up requires permits or approvals from other agencies, the borough may either require the applicant to obtain these approvals at the applicant's expense prior to approval of the hook-up application, or the applicant shall submit the permit fee and an administrative charge (HBC 13.08.115) as specified in the current assembly-approved water-sewer rate schedule to the borough and the borough shall make application for the required permits.

2. The applicant shall sign a statement on the application verifying that the applicant agrees to be responsible for any and all of the borough's costs above the minimum hook-up fee. By signing the application, the applicant agrees to abide with the requirements of this chapter. The application is a request for service and does not bind the borough to furnish service.

3. Hook-Up Fee. The purpose of the hook-up fee is to pay for the borough's cost of material, labor, and equipment to install the sewer service line from the sewer main to the applicant's property line. The hook-up fee shall be the minimum fee amount, plus any additional cost to the borough related to the actual hook-up installation. **The sewer hook-up fee and any other fees shall be a lien against the property served in the same manner**

**and to the same extent as a lien for special assessments and shall be enforced in the same manner provided for special assessment liens.**

When the department approves the application, the applicant shall submit the minimum hook-up fee as required in subsection (B)(2) of this section, as well as the expansion charge as required by HBC 13.08.125. Following full payment of these fees, the chief fiscal officer shall acknowledge payment on the application form. Provided all other approvals are complete, the chief fiscal officer's record of receipt of fees constitutes final approval of the application. The hook-up shall not occur prior to full payment of fees and final approval of the application.

...

Section 12. Amendment of Section 13.08.230. Haines Borough Code 13.08.230 is amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
~~STRIKETHROUGH~~ ITEMS ARE DELETED

**13.08.230 Billing and payment.**

A. Liable Parties. All sanitary sewer service charges, except the connection fee, shall be placed on the bill for borough water service, but those who do not receive water service shall be billed separately. The rates and charges herein established and as specified in the current assembly-approved water-sewer rate schedule shall be collected from the owners of the premises receiving service. Passage and publication of the ordinance codified by this chapter shall be deemed notice to all owners of real estate of their liability for sewer service supplied to any occupant or user of such service on their property.

B. Payment Deadline. All charges for sanitary sewer service shall be due when the bill containing the water and/or sewer service charges is mailed. If the bill is not paid by the **billing due date specified on the bill**, ~~twentieth day of the month following billing~~, the account shall be considered delinquent.

C. Delinquent Accounts.

1. Delinquent Notice. A reminder of account delinquency may be sent, at the discretion of the chief fiscal officer, to each delinquent customer on or after 10 days after the account has become delinquent.

2. Turn-Off or Court Notice. On or after 15 days after an account becomes delinquent, a turn-off notice or a letter of intent to go to small claims court shall state a date on or after either the sewer or water will be disconnected or turned off or court action will be initiated, if the delinquent account is not paid in full prior thereto. Such date will not be less than five nor more than 15 days from the date of notice. A delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.

3. Service Turn-Off. On the turn-off date, the authorized department official or other agent of the borough shall turn off the service. The borough shall not be liable to tenants for damages resulting from sewer disconnects or water turn-off because of a landlord's failure to pay delinquent accounts.

4. Service Charge. In all instances where the sewer has been disconnected or the water turned off because of a delinquent account under this section, a nonrefundable service charge as specified in the current assembly-approved water-sewer rate schedule shall be made for the restoration of services in addition to replacement of cash deposit as required in HBC 13.08.120(C).

**5. Liens. If a lien has been recorded, any delinquent amount owed to the utility shall constitute a lien upon the real estate for which water service is supplied.**

**and the utility is authorized to file sworn statements showing such delinquencies in the office of the recorder of the Haines recording district.**

D. Interest Charges. **Accounts will be charged** ~~One~~ and one-half percent interest per month ~~will be added to charges~~ **after becoming** delinquent ~~over 30 days~~.

E. Exemptions and Adjustments to Charges. The manager and the chief fiscal officer shall have the authority to make all necessary adjustments or exemptions to the charges and fees established in this title when directed to do so by the assembly or if, in the opinion of the manager or chief fiscal officer, such actions are in the public interest. Any adjustments or exemptions shall be made a part of the borough's public financial records along with an authorizing statement by the responsible party as to the reasons for the action taken. The decision of the manager or chief fiscal officer shall be final unless overruled by the assembly.

F. Residential Sprinkler Allowance. For the period from June 1st to August 31st of each year a metered residential customer may apply to the utility for a "sprinkler allowance." Upon submittal of the completed application form to the borough by the customer the borough shall authorize the allowance. Such allowance shall be determined by calculating the metered usage which exceeds the minimum 4,000 gallons per month. Any amounts in excess of the 4,000 gallons per month per unit during this period will only be charged at 50 percent of the metered usage. The purpose of this allowance is to make an adjustment for the metered usage based upon water meter registers where not all the water used is collected and treated by the sewer system.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Mayor

ATTEST:

\_\_\_\_\_  
Michelle L. Webb, Interim Borough Clerk

|                                |                                                 |
|--------------------------------|-------------------------------------------------|
| Date Introduced:               | 10/22/13 - referred to G.A.S. Committee         |
| Date of First Public Hearing:  | 02/11/14                                        |
| Scheduled for Second Hearing   | 02/25/14 – replaced with a substitute ordinance |
| Date of Second Public Hearing: | 03/11/14                                        |

Haines Borough Assembly Committee Meeting  
Committee: Government Affairs & Services  
Assembly Chambers

Date: December 3, 2013

**Issue: Ordinance 13-10-352: Amending Haines Borough Code Title 13 to revise and clarify water and sewer service procedures.**

In answer to a committee member Lapham's inquiry about radio read modules authorized in a previously adopted resolution, Facilities Director Carlos Jimenez stated that the that the meters were in place.

In answer to an inquiry from a committee member Campbell, Finance Director Jila Stuart reported that the water rate for a home if unmetered is \$34/month; if metered, is \$31/month for first 3000 gallons.

Resident Shane Horton stated that he would like water and sewer to be charged to mobile home renter instead of mobile home park land owner. Later in the meeting, Finance Director Stuart explained the design of the billing for both trailer parks and apartment buildings.

Finance Director Stuart stated that a previous rate analysis cost \$20,0000; that there is no current budget for a rate analysis for metering residential users. Stuart explained that a year ago the Assembly decided that wanted to move toward universal metering. In an answer to a request for an explanation of enterprise funds, Stuart said that theoretically the user feels should pay for operating expense. In practice, the user fees operating expenses, not depreciation.

In discussing HBC 13.04.150 (E), Stuart said that the theory behind the provisions is that it will y will encourage main extensions because the owner will get contributions from others who may tap in. From the audience, Assembly member Schnabel questioned whether or not it is good public policy to make individuals pay for water main extensions.

Committee asks the staff to prepare a memo for each change. And will move it on to Assembly for first hearing, January 14. The memo should explain each added or deleted sections and provide legal and financial analysis as well.

**Recommended Action:**

Assembly direct manager to direct staff to provide requested legal and financial justification for changes proposed by staff and set for first public hearing.

Who: Chair

When: January 14,  
2014

# Memo



To: Haines Borough Mayor & Assembly  
From: Jila Stuart, Chief Fiscal Officer  
Cc: Julie Cozzi, Interim Borough Manager  
Date: October 17, 2013  
Re: Proposed Title 13 Revision

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The attached, proposed code revision ordinance is intended to accomplish the following:

- Allow the Borough to record a lien for unpaid water and sewer fees so that unpaid bills can more reliably be collected when a property changes hands;
- Create a mechanism for property owners who pay to extend a water or sewer main to be reimbursed by their neighbors who later hook up to the main within 20 years;
- Clarify code regarding fees paid for new meter installation;
- Require metering for all newly constructed residences after January 1, 2014; and
- Eliminate the “vacated” rate which allows customers to pay a reduced rate when they notify the Borough that they will vacate the premises but they still want to valve on.

# Memo



To: Haines Borough Mayor & Assembly  
From: Jila Stuart, Chief Financial Officer  
Cc: Julie Cozzi, Interim Borough Manager  
Date: February 6, 2014  
Re: Proposed Title 13 Revision

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## **Metering & Proposed Study**

This ordinance was introduced on 10/22 and referred to the Government Affairs and Services Committee. That committee met on December 3, requested additional information, and proposed advancement to the first hearing. The committee expressed an interest in further exploring the costs and benefits of moving towards metering for residential customers. Staff has obtained a price quote from FCS Group for a residential water and sewer meter impact study. If the Assembly chooses to move forward with the study I hope you will consider the more comprehensive option 1 which includes a revenue analysis which can be used to set future rates regardless of whether or not you chose to move towards metered residential service. FCS group has a good reputation and has recently been hired by CBJ to do a rate study of their utility. Additionally, FCS group has done a rate study for the Haines water and sewer utilities in 2008 as well as an acquisition analysis of Crystal Cathedrals Water & Sewer System for the former City. The proposal is attached to this memo.

## **Substitute Ordinance**

Staff has prepared a substitute ordinance which removes the proposed phasing in of metered residential service. If the Assembly wishes to look into moving towards metered residential service staff recommends the Assembly authorize the proposed study.

As requested, here is addition information about the proposed substitute ordinance:

- 13.04.050 Application for service – Would allow the Borough to record a lien for unpaid water and sewer fees so that unpaid bills can more reliably be collected when a property changes hands. The proposed language was borrowed from CBJ's code and is designed to address the problem of the utility getting stuck with unpaid bills. The cost of filing a lien will be offset by the additional fees recovered.
- 13.04.150 & 13.08-020 Main extensions – Would create a mechanism for property owners who privately finance water or sewer main extensions to be reimbursed by their neighbors who later hook up to the main within 20 years. This method was borrowed from another water and sewer utility and is very similar to the agreement that was

entered into when the Small Tracts water main was extended by the City in the 1970s. This proposed amendment is designed to encourage private financing of main extensions. Currently, if a property owner pays to extend a main their neighbors are under no obligation to contribute to the cost and may hook up to the main after it is installed without helping to offset the main extension cost.

- 13.04.160 Service charges (C) – Current code is unclear about who pays for the cost of a meter when it is initially installed. 13.04.170 says “The department will own and maintain all meters.” 13.04.180 says “the cost of the meter shall be added to the water service hook-up fees” which seems to imply that the customer is purchasing the meter and 13.04.160 states “the customer shall pay a water meter installation fee payable at the date of application. This charge is intended to cover the cost of installation of the meter, not the value of the meter.” The proposed changes clarify the code to say the customer pays for meter installation (assuming the Borough performs the installation) and a one-time meter rental fee. This is in keeping with current practice, but clarifies code so that the current practice is stated more clearly. Similar language exists in other municipal codes including CBJ’s.
- 13.04.280 Discontinuance of service – Changes to this section would eliminate the “vacated” rate which allows customers to pay a reduced rate when they notify the Borough that they will vacate the premises but that they still want to valve on. This rate is not widely used perhaps because many customers are not aware of it. Because this special rate is on an honor system it is subject to possible abuse and the staff has been reticent to launch a campaign to raise awareness about it. For this reason I have a concern that the rate presents issues of fairness and equitability. Without meters the Borough has no way to verify whether or not water is being used while an account is on the vacated status. Also, in our brief survey of other Alaskan utilities we haven’t found similar vacated rates to be common. Discontinuance of the vacated rate may cause the number of water valve shut-off requests to increase slightly, but we believe our current rate schedule is sufficient to cover those costs. The elimination of the rate may result in increased revenues because customers will have to pay the regular fee if they keep their water on during an absence. Alternately, it could result in decreased revenues if customers have the valve turned off during their absence. We won’t know the impact for sure until we implement the change, but the impact is not expected to be significant. The vacated rate is currently used roughly 50-70 times per year.
- 13.04.270 Billing and payment – removes the monthly due date for water/sewer bills from code.

January 30, 2014

**Ms. JILA STUART**  
Finance Director  
City of Haines  
P.O. Box 1209  
Haines, Alaska 99827

**REFERENCE: RESIDENTIAL WATER AND SEWER METER IMPACT STUDY  
PRICE QUOTE**

Dear Jila,

At your request FCS GROUP is pleased to provide the City of Haines (City) with this quote for professional services to determine the impact on residential water and sewer rates resulting from implementing a residential metered class of service for your water and sewer utility. Following discussions with you earlier this month on your desired objectives of this study we propose two project approach options each separately priced for your consideration.

Project approach option 1 is a comprehensive assessment to implement metering for your water and sewer utility that begins with a revenue requirement determination that assesses if at existing rates the utilities are operating at a surplus or deficiency and the percent change in rates to achieve the revenue requirement. By taking this first step we create a baseline with compensable rates and layer on top of that the incremental cost attributable to metered service. Next we determine the incremental cost attributable to metered service and run scenarios in our rate study models to calculate the revenue deficiency due only from metering and assign these costs to the residential customer service class and compute revised rates. Finally we compare the baseline water and sewer rates to the revised rates that include the cost of metered service to complete the rate impact assessment and develop a technical memorandum that addresses our findings and recommendations. Project approach option 1 involves steps 1 through 4 listed below.

Project approach option 2 involves steps 2 and 4 listed below. The significant difference between option 1 from option 2 is that option 2 does not include a revenue requirement determination and thereby results in a reduced price quote over option 1. As a result, option 2 does not assess if the utilities, at existing rates, are operating at a surplus or deficiency and the percent change in rates to achieve the revenue requirement. Instead, option 2 considers the incremental cost of implementing metered service

**Project Approach:**

1. **Develop Revenue Requirement Spreadsheet Module (Project Approach Option 1 only):** Construct an Excel based analytical spreadsheet module to develop the revenue requirement study using the most recent historical costs of the water and sewer utility. By historical costs we mean costs as taken from the utilities most recent Comprehensive Annual Financial Report. The revenue requirement study using actual historical costs will:
  - a. Determine if at current rates the water and sewer utility are achieving their revenue requirement.
  - b. Determine if the water and sewer utility are operating at a revenue deficiency or surplus.
  - c. Determine the percent change in rates to achieve the revenue requirement.
  - d. Set the baseline for rate levels that allow for the incremental cost of metered service to be layered on top in order to compute the rate impact for metered service.
2. **Develop Pro Forma Normalizing Adjustments for Metering (Project Approach Option 1 and 2):** In this step we determine the operating and capital costs associated with implementing a residential metered water and sewer customer class of service. Once operating and capital costs are determined we will assign these costs to this new class of service. Demand for this class of service will be determined and the incremental costs will be divided by the expected demand to calculate the rate.
3. **Develop Revenue Requirement Spreadsheet Module Metered Service Scenario (Project Approach Option 1 only):**
  - a. Using our baseline revenue requirement model we will incorporate the pro forma adjustment costs arrived at from item 2 above to determine the impact on the revenue requirement as a result of metered service.

- b. We will assign the net revenue deficiency taken from the model and apply them to the new residential water and sewer metered service and compute the percent change in rates needed to recover the net revenue deficiency.
- 4. **Develop a Technical Memorandum and Presentations (Project Approach Option 1 and 2):**
  - a. Throughout the engagement we will work with the City to share the preliminary and final results of our analysis on metering. In our price quote we estimate that the exchange of preliminary and final cost study results can be accomplished using GoToMeeting appointments. Should the City prefer that this price quote include a site visit to present cost study results to management and City Council FCS GROUP would be happy to revise this schedule to add this cost upon request.

**Price Quote:** Our budget estimate for option 1 is \$16,650 and for option 2 is \$8,820 to provide the requested cost study.

*FCS Pricing Schedule Option 1*

| Fee Schedule for Rate Study and Residential Water and Sewer Rate Impact to Implement Metering in Accordance with City of Haines Request For Quote |                               |                        |                    |                        |                       |                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------|--------------------|------------------------|-----------------------|------------------|
| Task                                                                                                                                              | Consultant Hours              |                        |                    |                        | Total Estimated Hours | Total Budget     |
|                                                                                                                                                   | Managing Principal<br>Johnson | Study Manager<br>Wilks | Analyst<br>Shirley | Admin. Support<br>\$75 |                       |                  |
| <i>Hourly Billing Rates:</i>                                                                                                                      |                               |                        |                    |                        |                       |                  |
| <b>Standard Revenue Requirement Study Task</b>                                                                                                    | \$225                         | \$195                  | \$145              | \$75                   |                       |                  |
| RRS Task 1 - Data Collection / Validation                                                                                                         | 1                             | 4                      | 8                  |                        | 13                    | \$ 2,165         |
| RRS Task 2 - Revenue Requirement Determination                                                                                                    | 2                             | 4                      | 45                 |                        | 51                    | \$ 7,755         |
| RRS Task 3 - Meetings & Presentations                                                                                                             | 1                             | 4                      | 2                  |                        | 7                     | \$ 1,295         |
| RRS Task 4 - Documentation                                                                                                                        | 2                             | 4                      | 8                  | 1                      | 15                    | \$ 2,465         |
| Task 5 - Project Administration/Management                                                                                                        | 2                             | 10                     | -                  | 1                      | 13                    | \$ 2,475         |
| Subtotal                                                                                                                                          | 8                             | 26                     | 63                 | 2                      | 99                    | \$ 16,155        |
| Technology Charge (a)                                                                                                                             |                               |                        |                    |                        |                       | \$ 495           |
| <b>Total Cost of Rate Study</b>                                                                                                                   |                               |                        |                    |                        |                       | <b>\$ 16,650</b> |

*FCS Pricing Schedule Option 2*

| Fee Schedule for Residential Water and Sewer Rate Impact to Implement Metering in Accordance with City of Haines Request For Quote |                               |                        |                    |                        |                       |                 |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------------------------|--------------------|------------------------|-----------------------|-----------------|
| Task                                                                                                                               | Consultant Hours              |                        |                    |                        | Total Estimated Hours | Total Budget    |
|                                                                                                                                    | Managing Principal<br>Johnson | Study Manager<br>Wilks | Analyst<br>Shirley | Admin. Support<br>\$75 |                       |                 |
| <i>Hourly Billing Rates:</i>                                                                                                       |                               |                        |                    |                        |                       |                 |
| <b>Standard Revenue Requirement Study Task</b>                                                                                     | \$225                         | \$195                  | \$145              | \$75                   |                       |                 |
| RRS Task 1 - Data Collection / Validation                                                                                          | 1                             | 4                      | 8                  |                        | 13                    | \$ 2,165        |
| RRS Task 2 - Incremental Cost Assessment                                                                                           | 1                             | 4                      | 5                  |                        | 10                    | \$ 1,730        |
| RRS Task 3 - Meetings & Presentations                                                                                              | 1                             | 4                      | 2                  |                        | 7                     | \$ 1,295        |
| RRS Task 4 - Documentation                                                                                                         | 2                             | 4                      | 4                  | 1                      | 11                    | \$ 1,885        |
| Task 5 - Project Administration/Management                                                                                         | 2                             | 5                      | -                  | 1                      | 8                     | \$ 1,500        |
| Subtotal                                                                                                                           | 7                             | 21                     | 19                 | 2                      | 49                    | \$ 8,575        |
| Technology Charge (a)                                                                                                              |                               |                        |                    |                        |                       | \$ 245          |
| <b>Total Cost of Rate Study</b>                                                                                                    |                               |                        |                    |                        |                       | <b>\$ 8,820</b> |

WE LOOK FORWARD TO WORKING WITH YOU AND YOUR STAFF TO DEVELOP IS COST STUDY FOR YOUR WATER AND SEWER UTILITIES. PLEASE DO NOT HESITATE TO CONTACT ME BY PHONE (907-242-0659) OR BY EMAIL [BILLW@FCSGROUP.COM](mailto:BILLW@FCSGROUP.COM).



**WILLIAM WILKS**  
 SENIOR PROJECT MANAGER



**AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 2 SECTION 2.62.030 TO ALLOW AN ASSEMBLY APPROVED EXCEPTION TO THE CONTRACTING OR SALE LIMIT TO A BOROUGH OFFICER OR EMPLOYEE.**

**NOW, THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:**

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 2.62.030. Section 2.62.030 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE  
**STRIKETHROUGH** ITEMS ARE DELETIONS

**2.62.030 Participation in contracting prohibited.**

A. No borough officer or employee who has a substantial interest, direct or indirect, in any contract with, or to be made with, the borough or the sale of any land, material, supplies or services to the borough or to a contractor supplying the borough may participate in that person's capacity as a borough officer or employee in the making or performance of such contract or the making of such sale.

B. The following shall not constitute a substantial interest prohibited by this section:

...

4. A contract or sale in which a borough officer or employee has an interest if the total consideration payable there under, when added to the aggregate amount of all consideration payable under contracts in which such person had an interest during the fiscal year, does not exceed the sum of \$500.00. **If the borough manager determines a higher sum would be in the best interest of the borough, the assembly may approve the exception by motion.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Michelle Webb, Interim Borough Clerk

Date Introduced: 01/14/14 – Introduced and Sent to G.A.S. Committee  
Date of First Public Hearing: 03/11/14  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_

# INTERIM MANAGER'S REPORT

DATE: March 11, 2014  
TO: Mayor and Borough Assembly  
FROM: Julie Cozzi, Interim Borough Manager

## Administration

- **Deputy Clerk Recruitment**: The position is currently being advertised. Applications will be accepted until filled, but the first review of applications will be on Monday, March 17.
- **New Borough Manager**: I want to confirm that Dave Sosa's first day on the job is still scheduled for April 8. In the mean time, we have been having regular phone meetings with him, copying him on some emails, and in general trying to provide him with as much information as possible. We are very much anticipating his arrival.
- **Anniversary of Alaska Purchase**: In 2017, Alaska will celebrate the 150th Anniversary of the Alaska Purchase. Attached as *Appendix A* is a press release. If there is interest in Haines joining in on the celebration, it would behoove us to consider soliciting ideas in the not-too-distant future from the museum and from Haines citizens and civic groups. Money may need to be allocated in a future budget depending on the activities the borough might want to financially support. Just want to give a heads-up so we can hopefully avoid the "last-minute" scramble we experienced with our Haines Centennial celebration in 2010. Of course, that assumes there will be interest in celebrating the Alaska Purchase.
- **Election Training**: The Division of Elections will be conducting 2014 election worker training and has currently scheduled what they call the Juneau HUB training for June 17<sup>th</sup>. We'll be contacting our election officials to let them know the date and to explain the Division will be contacting them as the date gets closer to arrange travel to Juneau. I also plan to conduct a follow-up training with those who wish to work the borough election so we can go over borough-specific laws, policies, and procedures. We have a list of election workers but are always happy to add to it. Borough code requires election officials to be registered voters and residents of the Haines Borough. Interested people may contact the Clerk's Office to apply. We especially need workers for the Hanes Highway precinct but welcome applicants for the town precinct, as well.
- **NACO-Identified Issues**: Brad Gilman, the borough's Washington D.C. lobbyist, provided the attached comments (*Appendix B*) on the status of issues identified by Mayor Scott as a result of her participation in a February 11 National Association of Counties conference call

## Economic Development/Tourism

- **Tourism Director Recruitment**: The position is currently being advertised. Applications will be accepted until filled, but the first review of applications will be on Monday, March 17.
- **Bike Race**: The borough has been provided with the attached information regarding this year's Klwane to Chilkat International Bike Relay (*Appendix C*). I appreciate this advance notice, because it gives us an opportunity to plan for impacts including traffic congestion. This is a huge annual event for Haines that brings in a lot of visitors.
- **Heliskiing Permits**: Alaska Heliskiing has been issued a heliskiing permit for 2014. The AMG application is still being processed but is expected to be issued very soon.
- **Tourism Director Report**: Tanya Carlson has provided a tourism department update, and it is attached as *Appendix D*.

## Finance/Insurance

- **Water Rate Study**: Staff is aware there is some interest in further exploring the costs and benefits of moving towards metering for residential customers. In response and as reported last meeting by the finance director, we obtained a price quote from FCS Group for a residential water and sewer meter impact study. Option one in the quote includes a revenue analysis which may be used to set future rates regardless of whether or not the assembly chooses to move towards metered residential service. FCS group did a rate study for the Haines water and sewer utilities in 2008. They have a good reputation and were recently hired by the City and Borough of Juneau to do a rate study of their utility. I recommend assembly authorization to proceed with a revenue analysis, at a minimum. If there is interest, I can include the cost of this study in the FY15 manager's budget for consideration.
- **Secure Rural Schools**: Brad Gilman, the borough's Washington D.C. lobbyist, reported the Administration has released its FY 2015 budget proposal. In it, the Administration is recommending reauthorizing Secure Rural Schools, but unfortunately it also calls for cutting the program's funding on a sliding scale down to zero by 2021. Next week when the detailed budget documents come out, we should learn about the Administration's rationale, and I will pass along the information.
- **Sales Tax Revenues**: Finance Director Jila Stuart produced the attached report of sales tax collected over the past six years (*Appendix E*).

## Information Technology

- **Citizen Engagement**: In our ongoing efforts to improve/increase community interaction with the local government, we are to evaluating various meeting management systems, including the Liberty Meeting Recorder (information attached as *Appendix F*). It is designed to record and optionally stream the audio and video of meetings and save the minutes in Microsoft Word. The Meeting Recorder allows the user to create "bookmarks" as cue points into the recording files, so this would benefit those who wish to listen to a particular discussion without wading through the whole recording. If we go with action only minutes, something like this would be really good.
- **Live Broadcasts**: As previously reported, we continue to look into options and gather pricing for making technological upgrades to the assembly chambers, including a new sound/microphone system. I will be meeting with Kay Clements of KHNS to explore the option of live radio broadcasts of the assembly meetings. The radio station has staff members with good technical expertise and it may be possible to get some assistance from the station to get meetings on the air and increase public access.

## Lands-Assessment-Planning & Zoning

- **Contract Assessor Report**: Contract Assessor Marty McGee submitted the attached assessment recommendations (*Appendix G*). These recommendations are specifically written to address deficiencies that he has observed as well as those noted by the Office of the State Assessor. In general, he agrees with the observations and recommendations of the audits.
- **Assessor Position**: In keeping with the assembly's expectation that the borough will have an in-house assessor in the beginning of the new fiscal year, we will commence the recruitment process in early May (after the assessment appeal period). Borough code does not currently allow for promotion from within but does provide for a borough employee preference if other qualifications are equal (HBC 2.74.070). Assistant Assessor Dean Olsen will be encouraged to apply and will be a very strong candidate. (Note: I am working on a comprehensive revision to the personnel code that will include the ability to promote from within, especially in cases like this where an employee has been training and preparing for a particular position. I hope that ordinance will be ready to come to the personnel committee no later than summer. In addition to the finance and attorney reviews I am getting, I believe the incoming borough manager should have an opportunity to have input since he will be the personnel manager.)

- **Chilkat River Corridor Plan**: Alaska State Parks is planning on developing improvements along the Chilkoot River corridor this summer. This project will consist of developing legitimate parking areas and bear viewing platforms/structures in Chilkoot State Park along Lutak Road. The site plan for this project is attached as *Appendix H*. Developing parking areas and bear viewing platforms are allowable “uses-by-right” in the Lutak Inlet Planning District, so no particular permits are required at the local government level. The borough planning & zoning technician forwarded the site plan to the parks and recreation advisory committee for their comments, as well.
- **Letter to Governor re. HB1**: This week, as personnel manager for the borough, I emailed a letter to Governor Parnell asking him not to sign HB1 that passed the Senate on February 28 (see letter attached as *Appendix I*, along with bill information). The bill restricts Drivers Licenses (DL) for foreigners. Fortunately, our planning & zoning technician already has a five-year Alaska DL, but she is likely to have trouble renewing it, if the Governor signs this new bill. An H-1B employee in valid status but with an expired visa apparently can’t get a DL at all, at least according to the bill’s sponsor. Everything about Tracy being here is legal, and this DL requirement would severely impact us. She is our planner and must maintain the ability to drive for site inspections, etc. The bill is already on the Governor’s desk for signing, and I believed it important to at least try. The mayor and assembly were copied on the email.

### **Parks and Recreation**

- **Pool Manager Report**: Rae Ann Galasso has provided a pool activity report, and it is attached as *Appendix J*.

### **Police Department**

- **Police Chief**: Police Chief Bill Musser has now been on the job for one week, and his presence is already being felt in a good way. He arrived to a lot of facility chaos because of the E-911 project currently going on along with related painting and recarpeting. He is being brought up to speed, and Sergeant Ford is assisting him administratively including preparation of the FY15 draft department budget. He has also met with me several times and is receiving his Haines field training from the patrol officers.
- **Patrol Officer**: The newly-hired patrol officer Josh Dryden is working toward arriving in Haines within the next couple of weeks. As previously reported, he is a certified officer in Alabama with eight years experience and will only need to attend a 2-3 week academy session in May to become Alaska-certified.
- **Police Department Report**: Sergeant Simon Ford provided a monthly Police Department report prior to the arrival of the new chief. It is attached as *Appendix K*.

### **Public Facilities**

- **OSHA Training**: Director of Public Facilities Carlos Jimenez will attend an OSHA 10-hour General Industry Outreach training in Anchorage on April 10 and 11. Our insurance company APEI is covering the registration fee and the hotel. His attendance at this training may go toward possible premium reductions. The attached flyer shows the subjects to be covered (*Appendix L*).
- **Director of Public Facilities Report**: Carlos Jimenez has provided a project update, and it is attached as *Appendix M*.

**Mead Treadwell**

*Lieutenant Governor*

550 W. 7th Avenue, Suite 1700

Anchorage, AK 99501

**Press Release**

SEAL OF THE STATE  
**STATE OF ALASKA**

**OFFICE OF THE  
LIEUTENANT GOVERNOR**

**Michelle Toohy**

*Chief of Staff*

907.269.7460

fax: 907.269.0263

[www.ltgov.alaska.gov](http://www.ltgov.alaska.gov)

**FOR IMMEDIATE RELEASE**

**No. 14-005**

## **Alaska's 150<sup>th</sup> Anniversary Calls for Celebration, Resolution Says**

February 26, 2014, Juneau, AK – Alaska will celebrate the 150<sup>th</sup> Anniversary of the Alaska Purchase in 2017.

The Senate Rules Committee, chaired by Senator Lesil McGuire, introduced Senate Concurrent Resolution 17 today, commemorating the Alaska Purchase. The Alaska Historical Commission (AHC), chaired by Lt. Governor Mead Treadwell, requested the resolution to recognize the historic significance of the anniversary and encourage Alaskan communities to participate in celebrations statewide.

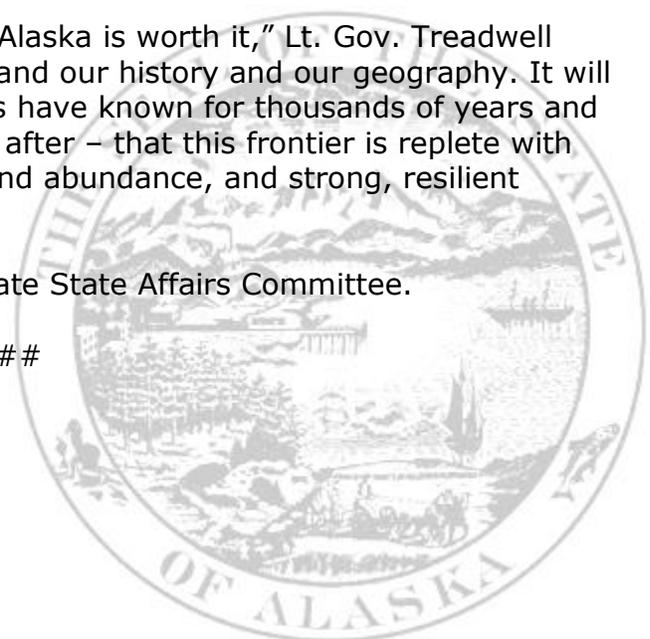
The United States purchased Alaska from Russia in 1867 for \$7.2 million, or about two cents an acre. All Alaskans are invited to join in celebrating the anniversary: communities, schools, universities, libraries, museums, businesses, civic and historical groups, government agencies, and the U.S. Congress. The resolution asks AHC to seek opportunities to engage support and coordinate events.

"Then chided for his folly, today Seward should be considered a visionary," Sen. McGuire said. "As Alaskans we all share a unique and special pride for our great state – from our rich Alaska Native heritage, to our unparalleled natural resources, our majestic landscapes, to our diverse communities full of some of the most caring and resilient people in the country. This resolution gives us the opportunity to share with the rest of the nation what makes Alaska so strong."

"This resolution will show the nation that Alaska is worth it," Lt. Gov. Treadwell said. "It will help young Alaskans understand our history and our geography. It will help show the world what Native Alaskans have known for thousands of years and what they taught those of us who arrived after – that this frontier is replete with cultural richness, environmental beauty and abundance, and strong, resilient people."

SCR 17 was read and referred to the Senate State Affairs Committee.

###



# Appendix B

**ROBERTSON MONAGLE & EASTAUGH  
ATTORNEYS AT LAW  
1810 Samuel Morse Dr., Suite 202  
RESTON, VA 20190  
PHONE: 571 313 1792  
FAX: 571 313 1973**

To: Mayor Stephanie Scott  
Julie Cozzi, Acting Manager  
Darsie Culbeck

From: Brad Gilman and Sebastian O'Kelly

Re: Comments on issues raised in the NACO Conference  
Call

Date: 2/25/14

The following are our initial comments on the status of the issues identified by Mayor Scott as a result of her participation in the February 11 NACO conference call.

## **Water Resources**

The House and Senate are still in conference over the final details of the Water Resources Development Act ("WRDA") reauthorization. The press is reporting that the Conferees have come to an agreement in principle on how to handle the sensitive topic of new project authorizations, but the actual bill language of any such compromise is not yet available. The Senate version of the bill applies to unspecified projects which have been studied but have not been recommended for authorization as of the time of the date of enactment of WRDA (commonly referred to as "contingent authorizations"). The Haines project has already been authorized. We have two specific problems with the Haines Harbor: (1) we need a timely agreement with the Army Corps on a project configuration; and (2) we need a "New Start" funding source that doesn't require a project-specific earmark in an appropriation bill. We are actively trying to solve the second problem in WRDA and in the Appropriations process.

The Senate version of WRDA creates a special navigation improvements construction account for Alaska, Hawaii, and the Island Territories. Under this provision, the Corps would be able to plan, design, and construct navigation projects (breakwaters, wave barriers, new start dredging) without having to seek a project-specific authorization or appropriation from the Congress. This is being referred to as the "Small, Remote, or Subsistence Harbors" account. The Federal Share would be capped at \$10 million per project, but the Corps would be authorized to allow the Local Project Sponsor to contribute more than the current 20 percent to

the project. You may recall that the Corps told us earlier that our project would have to be evaluated on an 80/20 cost share basis to determine whether there is a net national benefit, even if we were willing to contribute a larger amount to the project. In the last discussion we had with the Alaska Delegation staff, this provision was still on table in the conference.

Since the Haines Harbor project has already been authorized, we may not even need the “Small, Remote, or Subsistence Harbors” authorization to be enacted as part of WRDA if this account can be established separately in the Appropriations Bill funding the Corps. The Senate Appropriations Committee has been allocating funding to a “Small, Remote, or Subsistence Harbors” line item for both maintenance dredging and General Investigations without an express congressional authorization. Alaska communities have been immediate beneficiaries of the maintenance dredging, and there is some money available to begin to study new small Alaska projects from this line item but the account must be extended to cover General Construction in order for any new harbor construction to proceed. We have informed the Alaska staffers that the Alaska Senators need to push hard in the Senate Appropriations Committee to allocate money to a “Small, Remote, or Subsistence Harbor” line item for General Construction. We have recommended that \$20 million be added in the FY ’15 bill. This would provide the Haines Borough with a potential revenue source, and we would have to compete for a share of it. Both of our Senators are on the Appropriations Committee. We think they are beginning to realize that the current Administration has no plans to recommend small rural projects as part of the President’s budget process. The Appropriations process will begin in the House in late March, and the Senate will follow suit shortly thereafter.

Lastly, during Darsie’s visit last year, we pressed Senator Begich’s office to urge the Administration to include new start funding for the Haines project in its FY 2015 President’s budget request for the Corps (this would fall under the General Construction account but since the President would be requesting the project, it is not considered an earmark). The budget request comes in two parts, with an outline next week and then more specifics the following, so we will know more by mid-March. Given that the President has not requested any General Construction funding for any Alaska harbor in recent years, we are not optimistic. We are more hopeful that the Congress will establish the “Small, Remote or Subsistence Harbor” General Construction account in the FY 2015 appropriations bills later this spring. If so, that will give us an opportunity to pursue the funding directly with the Corps.

### **Highway Bill**

The House Transportation and Infrastructure Committee and the Senate Environment and Public Works Committee are currently engaged in internal preparations for the Highway Trust Fund reauthorization (currently referred to as “MAP ‘21”). There are two major problems with MAP ’21: (1) the Trust Fund is seriously short of funding due to the changes in automobile fuel consumption in the United States; and (2) the House continues to oppose project-specific funding for states and communities. The Congress has tied itself in knots trying to figure out how to increase revenue to make up the overall funding shortfall, but there has been a visceral reaction to any suggestion of increasing the federal per gallon gas tax.

Under the current chronic funding shortage, the State of Alaska allocates the vast majority of its share of the formula funds to projects maintaining or improving the State road system. The last we heard, the State of Alaska allocated only 13 percent of its Highway Trust Fund formula money to city and borough maintained roads. The call from the House for suggestions for funding “principles” is a reflection of the House Republicans’ desire to direct spending decisions without resort to program-specific earmarks or project-specific earmarks. We are not sure that there are any broad principles which could be adopted that will box the State Governments into giving a higher percentage of federal highway money to the County/Borough or Local Governments. This would likely require a statutory provision requiring that a minimum percentage be allocated to Counties/Boroughs and Cities. The current allocation decision can also be changed by Governor Parnell or influenced by the Alaska State Legislature without a change in federal law. The State would obviously be resistant to a push from local governments to allocate a larger percentage to Community Roads by law. It makes it somewhat easier for all parties if the Congress can resolve the larger picture funding shortage.

The Shakwak Project has been incorrectly perceived as funding a Canadian road system. We can think of no broad principle that would force the U.S. to live up to its international agreement with Canada to finish the final stages of the Shakwak Project. We are instead set to make a push with the Alaska Delegation to make Shakwak a priority because of its importance to Haines, Alaska as a whole, and the Nation’s movement of interstate commerce between Alaska and the mainland U.S. We will coordinate with the Alaska Governor’s Office to get them to reach out to the Canadian Embassy to be more aggressive in reminding the U.S. Government of the terms of the bilateral agreement. We have filed this project as part of the FY 2015 Federal online priority request system set up by our two Senators.

With that said, we are nonetheless eager to see the list of principles being put together by the NACO staff. There might be something that can be used within the Alaska State Legislature to push for a larger share of the road funding for communities.

### **Farm Bill**

We did review the recently enacted Farm Bill to see if it created or enhanced funding sources for rural community infrastructure projects. The short answer is that the legislation did not create any new sources of grant funding. There is funding for Village Safe Water, but these funds target the remote areas which have very little or no sewer/water infrastructure. The Rural Development Administration’s grant program for Community Facilities provides very small grants (\$25,000 on average) to impoverished communities, but this program is not designed for more prosperous communities.

We continue to be intrigued, however, by the RDA’s loan program for community infrastructure. The RDA offers very low interest loan terms on a 30 year amortization schedule, and has the discretion to stretch amortization to 40 years. One question is whether there is a sufficient gap between the loan rates and terms offered by the traditional municipal bond market and the RDA Loan Program to make a significant difference for communities. Another question is whether communities can bundle existing debt and refinance it at lower rates to free up operating cash. RDA is awash in loan authority and has been actively soliciting participation

from Alaskan communities. Senator Begich has been urging communities to initiate discussions with RDA's Alaska's Director Jim Nordlund in Palmer to explore in greater depth where RDA's program can help.

### **Rural Broadband**

We did not know that your residents are having internet connectivity issues. We think that it is worth the time and effort to explore the Rural Broad Band opportunities. The Universal Services Fund ("USF") was created to help subsidize the expansion of modern telecommunications into the rural areas (as a side note, Ted Stevens was the power behind this initiative due to the high cost of installing infrastructure in Alaska). The program was originally structured to fund rural expansion through the major telecom companies, but in recent years the majors have refused to accept the funding because they did not want to accept the FCC's terms and conditions that went with the USF funding. The FCC restructured the USF and renamed it the "Connect America Fund". In simple terms, the FCC expanded the list of eligible recipients to other nonprofits, municipal governments, cooperatives and a broader spectrum of private companies.

Communities such as Haines clearly fall within the scope of the Connect America Fund. The current problem is timing. The FCC has called for expressions of interest from eligible entities for pilot broadband projects by March 7. These expressions of interest must be specific on how the money would be spent. We think it is unrealistic to try and cobble together something in 11 days. Our suggestion is to authorize us to work with Julie and Darsie to begin to scope out what is actually happening in the Alaskan arena, and see if we can work Haines into something that is already being formulated. At the very least, we will begin to understand how the program will function in future years. The Connect America Fund is funded on a permanent basis through assessments on consumers. There will be more than one opportunity to develop something specific for Haines, either independently or as part of a larger broadband infrastructure package.

# Appendix C



PO Box 977, Haines, AK 99827

[www.kcibr.org](http://www.kcibr.org)

[kcibr.info@gmail.com](mailto:kcibr.info@gmail.com)

March 21, 2014

Dear Sir,

The 22<sup>nd</sup> Annual Kluane to Chilkat International Bike Relay (KCIBR) is being held on June 21, 2014. Teams will be starting from Haines Junction, Yukon between 8:30 AM and 9:00AM Yukon Time. Teams are expected to be arriving in Haines between 2 PM and 9 PM Alaska Time.

Again this year we are expecting a total of 1200 riders on 250 teams. With that many riders there will be a lot of vehicles containing support crew and family members. There are seven checkpoints for riders between Haines Junction, YT and Haines, AK which may be congested with traffic, at different times of the day. The main group of riders is expected into Haines, AK between 4PM and 7 PM Alaska time.

If you have any questions you can check our web site [kcibr.org](http://kcibr.org) or email us at [kcibr.info@gmail.com](mailto:kcibr.info@gmail.com).

Thank You,

  
Judy Ewald

AK Board Member

907-766-2455 or [kjewald@hotmail.com](mailto:kjewald@hotmail.com)

KCIBR

# Appendix D

## Haines Tourism Department Report for Manager

### January / February 2014 Report

- ◆ January and February were largely budget planning months, including two Marketing Plan meetings with the Tourism Advisory Board to plan the FY15 Marketing Plan. The Marketing Plan is what helps direct the budget process.
- ◆ The Tourism Advisory Board met in January & February. Topics included Economic Development Summit Panel, southeast cooperative marketing campaign for AMHS, Picture Point design, 2012 visitor survey results, economic impact study, ship pop-up displays, budget / marketing plan, coupon book and board appointments. Meeting minutes for both January and February will be approved at the March meeting.
- ◆ Had ads run in Sunset Magazine, Northwest Travel Magazine, Life After 50 and Yukon North of Ordinary.
- ◆ Started work on the 2014 Coupon Book.
- ◆ Attended the annual Southeast Alaska Tourism Council Board Retreat (SATC). As board president it is my duty to run this retreat. SATC recently underwent branding as "Alaska's Inside Passage". Following the new brand a new website just launched and a new trade show booth design is in the works. We discussed the future role of SATC and decided to include 3 popular consumer shows as part of the annual dues. This will enable all member communities to be distributed at three top consumer shows for less than the cost of our L.A. Travel & Adventure Show booth. The shows are all part of the Travel & Adventure Show series including L.A., San Diego and San Francisco.
- ◆ Attended the L.A. Travel & Adventure Show. This is the top consumer show we participate in. Attendance in 2013 was 28,422 and 32,181 this year. Aside from general public looking for travel ideas, travel trade, travel agents and press attend this show. We will be participating in this show under "Alaska's Inside Passage" in 2015. We also run a giveaway, which was advertising in the show program this year. We do a drawing for 10 pounds of Alaska fish (a mixture of halibut, salmon and smoked salmon) shipped directly to their home.
- ◆ Attended Travel Exchange. This convention is to meet with large group tour operators. We already have several tour operators who bring groups of people through Haines. The purpose of attending Travel Exchange is to keep in contact with current operators and press for more of this business to come to Haines. Appointments are set up similar to speed dating.
- ◆ Working with Denny (Tourism Yukon), Buckwheat (Skagway CVB) and Nancy (Juneau CVB) to develop a new Golden Circle booklet that will be a digital booklet available on each of our websites but will also be print ready should a consumer wish to print on their own or if any one of should wish to send to a print to have on hand for distribution.

- ◆ Ongoing work with Carol Tuynman of the Alaska Arts Confluence. Carol included the replacement of the Fort Seward signs into a grant proposal she submitted last year. They came back at the end of February with the finalists for this grant revue. We are now working to get all the information needed for the final review. The grant not end up taking care of the entire cost of the sign replacement but we also didn't expect a grant for the signs when we started this project.
- ◆ The next Tourism Advisory board meeting will be Thursday, March 20 in the Assembly Chambers at 9:30 am.
- ◆ 1,151 Vacation Planners have been mailed out so far this year, an increase of 102 Planner over the same time period last year.

**Visitor Stats 13 & 14 To Date** (visitors in VC)

|           | January | February | Total for year |
|-----------|---------|----------|----------------|
| 2014      | 53      | 63       | 123            |
| 2013      | 30      | 49       | 79             |
| Variation | +23     | +14      | +44            |

**Phone Inquiries 13 & 14 To Date**

|           | January | February | Total for year |
|-----------|---------|----------|----------------|
| 2014      | 54      | 37       | 91             |
| 2013      | 56      | 60       | 116            |
| Variation | -2      | -23      | -25            |

**Email Inquiries 13 & 14 To Date**

|           | January | February | Total for year |
|-----------|---------|----------|----------------|
| 2014      | 25      | 35       | 60             |
| 2013      | 36      | 17       | 53             |
| Variation | -11     | +18      | +7             |



## HAINES BOROUGH

### Sales Tax Revenues

Period Tax Collected (when sale took place/tax collected by retailer)

|                             | <b>2008</b>      | <b>2009</b>      | <b>2010</b>      | <b>2011</b>      | <b>2012</b>      | <b>2013</b>      |
|-----------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| January                     | 109,704          | 128,106          | 126,316          | 137,987          | 139,664          | 136,721          |
| February                    | 127,467          | 117,122          | 123,765          | 133,773          | 142,552          | 131,759          |
| March                       | 147,099          | 158,981          | 151,426          | 158,982          | 174,938          | 165,289          |
| April                       | 161,072          | 178,502          | 172,886          | 174,241          | 180,050          | 189,780          |
| May                         | 221,949          | 216,487          | 211,943          | 225,078          | 227,139          | 230,983          |
| June                        | 332,412          | 287,653          | 316,021          | 306,828          | 310,254          | 300,356          |
| July                        | 429,254          | 358,287          | 370,919          | 363,857          | 374,667          | 366,298          |
| August                      | 401,687          | 384,795          | 367,793          | 381,059          | 389,580          | 375,976          |
| September                   | 322,118          | 268,684          | 282,919          | 298,933          | 297,415          | 298,790          |
| October                     | 221,250          | 199,078          | 207,000          | 220,495          | 222,032          | 218,947          |
| November                    | 150,108          | 156,717          | 159,366          | 162,246          | 157,376          | 164,778          |
| December                    | 158,093          | 150,999          | 162,925          | 162,102          | 166,624          | 164,207          |
|                             | <u>2,782,212</u> | <u>2,605,410</u> | <u>2,653,280</u> | <u>2,725,580</u> | <u>2,782,293</u> | <u>2,743,884</u> |
| <br>                        |                  |                  |                  |                  |                  |                  |
| % Change from previous year |                  | <b>-6%</b>       | <b>2%</b>        | <b>3%</b>        | <b>2%</b>        | <b>-1%</b>       |

## *Liberty Meeting Recorder* *Excellence in Digital Audio Recording Solutions*

Go Digital, Free Yourself from Tapes!

**The Liberty Meeting Recorder** is a PC based digital recording system that allows city councils, committees, tribunals and commissions of any type to capture the audio and optionally the video of their meetings into a digital PC based format. **The Liberty Meeting Recorder** is fully integrated with Microsoft Word™ and allows the operator to insert playback cue points directly into Word documents. The audio may then be played-back from any specified point in the recording. Reviewing the audio and optionally the video becomes as easy as clicking on an agenda item in the Word document. **The Liberty Meeting Recorder** eliminates the need to FF and REW tapes as minutes are written and reviewed.



### Get a Clear and Concise Digital Record of the Proceedings

**The Liberty Meeting Recorder** provides a clear and concise digital recording of your meeting. Saving the audio as a digital file means there is no more time wasted fast-forwarding and rewinding through tapes. Instead, you can instantaneously jump to any point in the recording, just by clicking a button. Your notes are already synchronized with the audio playback and creating complete and accurate minutes becomes a quicker, easier job to complete.

### Insert Standard Text for Roll Call, Motions, and Votes

**The Liberty Meeting Recorder** includes the ability to save the names of meeting participants and to insert the appropriate text into a Word document for Roll Calls, Motions and Votes. Operators access these features through dialog boxes that insert the appropriate information directly into a Word document.



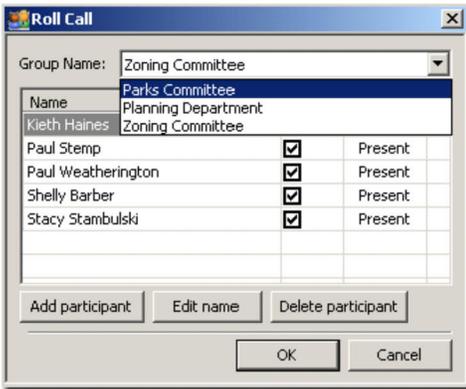
The Meeting Recorder Word Add-on inserts a number of new icons into the Word Toolbar. These icons allow the operator to control the recording application and insert text for Roll Calls, Motions and Votes, directly in Word.

### Highlights

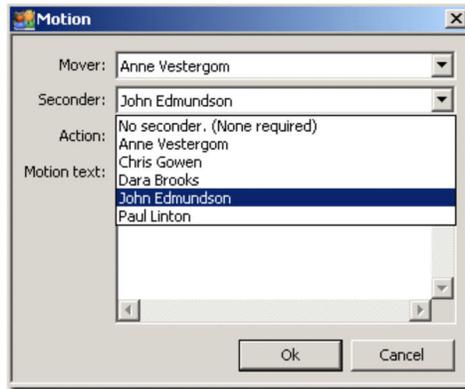
- Record the audio and optionally the video of your meeting to the hard-drive of your PC
- Recordings may be posted to your web site as either PDF files or HTML, including the minutes with cue points, and both the audio and video
- Web users may playback the recordings using the standard Windows Media Player™
- Supports real-time streaming to MS Media Server for Internet or internal network availability
- Word Toolbar Icons allow you to control recording and playback and establish cue points directly from Word
- Audio / video may be taken directly from feeds going to a cable TV broadcast
- Playback supports optional foot-pedal for Transcription

## Dialogs for Easy Insertion of Standard Information

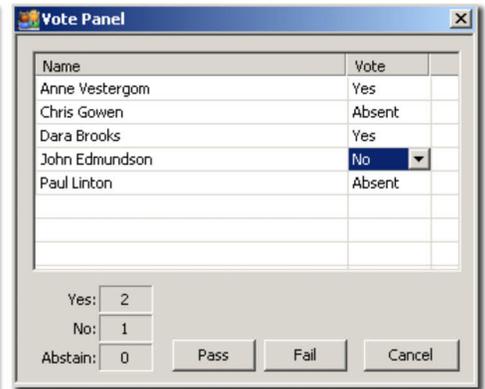
The dialog boxes below illustrate how operators can quickly insert standard text for Roll-calls, Motions and Votes. The names of participants in these activities are saved by the system to eliminate the need to re-type known information.



The dialog box for the Roll Call allows user to select the appropriate committee and its members and indicate their status during any specific meeting.

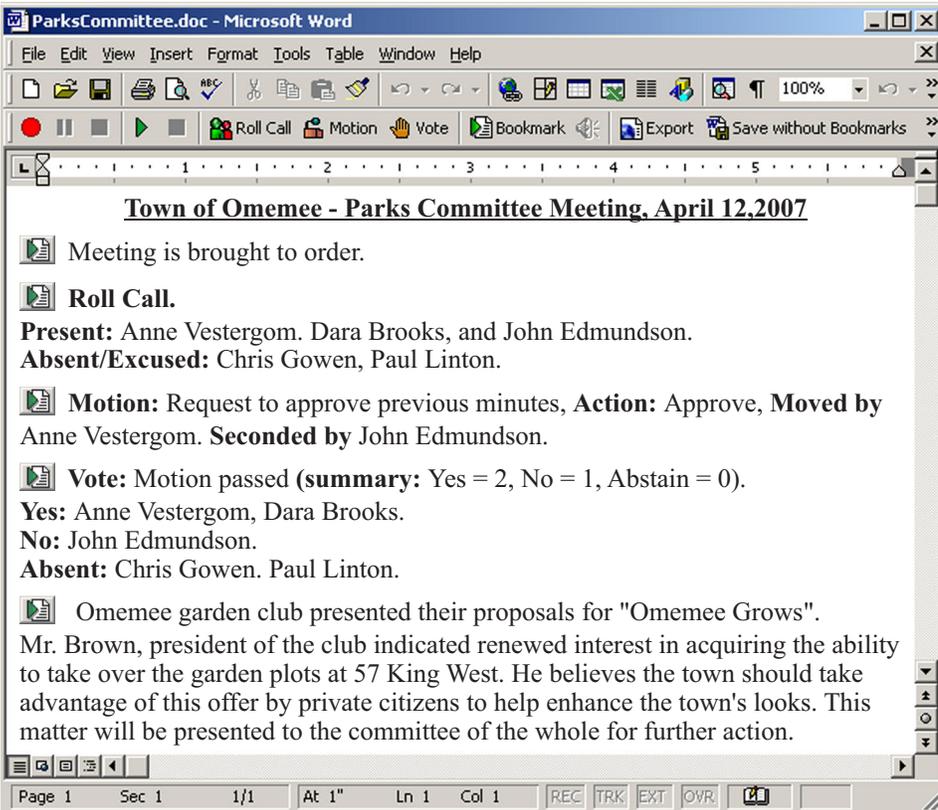


The dialog box for Motions allows the user to select the type of motion, the Mover and person Seconding the motion and it allows for the insertion of additional descriptive text.



The Vote dialog quickly tabulates the results of a vote and inserts the appropriate text into the Word document.

As the meeting progresses, notes can be taken and audio cue points may be established. The cue points are indicated in the screen capture below by the  icon. Playback of the recording can be started by merely clicking on any of the cue point icons.



## Stream and Post your Recordings to the Web

The Liberty Meeting Recorder allows you to stream your audio/video to the Internet in real-time\* and to save the audio/video and minutes of a meeting into pdf and html formats to be posted to a standard website\*. When recordings are posted to a website, the public can access relevant portions of the recording by clicking on playback cue points established in the minutes. They will see and hear the playback streamed through the standard Windows Media Player application.

\* Requires Microsoft Media Server and appropriate Internet connections.

### \* PC Requirements

The recording PC must meet the following minimum specifications:

- Pentium 4 Processor of 2 GHz or faster,
- 512 MB Ram or more,
- Windows XP SP2 or later,
- MS Word 2003 or 2007,
- Available USB ports for audio and video,
- Audio / Video feeds may be taken directly from a standard cable channel broadcast of your meeting or from a PA system or stand-alone microphones.

Requires a more powerful processor for real-time streaming.

Requires Microsoft Media Server for streaming

Contact your local Dealer:

Contact your Liberty Recording dealer for further information or contact Liberty Recording at 905-886-7771. You may also visit our web site [www.LibertyRecording.com](http://www.LibertyRecording.com) or email us at [sales@LibertyRecording.com](mailto:sales@LibertyRecording.com)

# Appendix G

Haines Assessment Recommendations

March 2, 2014

By: Marty McGee, Contract Assessor for the Haines Borough

The following recommendations are built on a foundation of a formal education in business management, over 30 years of direct involvement in the real estate industry in Alaska and 18 years in the profession of Property Tax Assessment. During my tenure as an Assessor I have always lived within the constraints of a local government fiscal budget and the ability of the community to find resources and address problems. The purpose of a local property tax is to raise funds from local sources to fund goods and services to the local residents. The property tax is not imposed on the community from outside. The tax is within the control of local government and is a choice made locally by the residents of the community. Assessment is intended to distribute this tax on the property owners of the community in a fair and equitable manner. Equity is defined in this context as setting values on each and every property as close to market value as possible and in such a manner that similarly situated land and buildings have similar values. Assessment is probably the single most important way that local government interacts with each individual property owner every year. No other function of government is as directly interactive with the whole community. In order to have a fair tax system that is in compliance with state law, the community must provide the resources to administer the assessment and support the changes needed to correct the system. My view of the current situation is that the local property owners are not satisfied with the current situation and have little tolerance for experiments to improve the situation. I approach this task with caution and restraint. I propose a slow and methodical approach where changes are not made without a good basis and the community is informed about the changes as we go along.

I believe that the community is very fortunate to have an individual with the experience, knowledge, and ability of Dean Olsen. He has a very valuable knowledge of the community, the history of assessment practice, and the property which is being assessed. In my opinion Mr. Olsen is the individual with the knowledge and expertise to bring stability to the assessment process and see the needed changes through the 4 year re-inventory cycle. He needs assistance in getting the system set up and in specifying and calibrating the valuation models.

## **THE SITUATION**

I became engaged in the Haines assessment task in August of 2013 by reviewing the Audits performed by the Office of the State Assessor in 2008 and 2012. I traveled to Haines and got actively involved with the assessment records, borough staff and the property owners in late November of 2013. I have spent two weeks in the community inspecting property. The period of time from November to March is a very short time span to understand the issues and begin an effective program of remedy. Implementing the entire fix will probably take a full 4 year cycle of re-inspection given the time and monetary constraints. I believe that the most important and impactful part of the work can be completed in a two year time span. An additional two years will be required to collect information and correct property descriptions. Annual changes to the economy and real estate market always present challenges to market modeling.

These recommendations are specifically crafted to address deficiencies that I have observed as well as those noted by the OSA. In general I agree with the observations and recommendations of the two Audits. Close examination of the current assessment records has revealed greater inconsistencies in the assessment records and less organized and useful information than I had anticipated. These

recommendations are intended to suggest the most cost effective solutions to the noted deficiencies. I have also provided priorities. The Audits specify certain areas which need action:

- 1) Organize the assessment records into an electronic data base.
- 2) Establish consistent accurate and systematic descriptions of property in the data base.
- 3) Segment the property for the development of mass appraisal market models.
- 4) Establish good economic and market data for the calibration of the models.
- 5) Equalize the assessed value for similarly situated property.
- 6) Inform the community about the reason for changes and the consequences of the change.
- 7) Maintain the property records for use in the new system.

### **THE PROBLEM**

The borough does not have useful electronic property descriptions or valuation systems. The existing records have not been consistently maintained. Many records are significantly out of date and do not contain accurate information. The records cannot be searched or sorted in order to find assessment inequities or valuation problems. In order to perform fair and accurate assessments there needs to be the ability to do a systematic listing and description of all property. Additionally, market data needs to be incorporated into the assessment records and statistical analysis needs to be performed. The entire population of property needs to be segmented into market groups and valuation models need to be specified and calibrated to the current market conditions. Almost none of this exists in the current record system.

From my examination of the records it is obvious that at least three attempts have been made to start a systematic assessment system. None of these attempts have succeeded in reviewing all property or bring it into a systematic mass appraisal system. The time and labor required to bring a paper record system into compliance makes it impractical as a solution. The deficiencies in the system are in no way attributable to Dean Olsen. Mr. Olsen has been given different instructions by each assessor and either pushed aside or ignored in the annual process. Additionally, the directions given at different points in time were not consistent with modern appraisal or assessment practice. The solution is to document the process for the description of property and update all records with a consistent standard and instructions for property description. I am working with Mr. Olsen to establish this system and implement its use.

In 2013 some land values were significantly increased in an attempt to improve a perceived undervaluation. Attempting to correct valuation problems on a fact base of inaccurate property descriptions resulted in obvious valuation discrepancies in 2013. These discrepancies had to be corrected in the appeal process. Because all values for similarly situated property could not be adjusted in the appeal process inequities resulted from this practice. The inequities were obvious to adjoining property owners who did not appeal and resulted in a loss of confidence in the assessment process. Addressing this situation has been my top priority in the creation of the 2014 tax roll.

**THE SOLUTION**

- 1) Equalize to address in equities resulting from last year’s appeals. (2014)
- 2) Separate land into market groups and equalize land valuation. (2014)
- 3) Adjust improvement value to match current economic indicators. (2014)
- 4) Start implementation of an electronic data base. (2014-2015)
- 5) Correct and complete property descriptions. (2015-2017)
- 6) Start to bring property inspections into cyclical compliance. (2014-2017)
- 7) Specify and calibrate improvement (BUILDING) valuation models. (2015)

The community needs a computerized mass appraisal system. The system will allow systematic listing and description of all property. The ability to sort, find and update data will allow cost effective administration of the assessment records and the establishment, specification and calibration of valuation models for land and buildings. I have acquired an Access based assessment data base which is constructed with data entry forms and the ability to establish and calibrate valuation models. This data base has been under development in Ketchikan and Sitka. The system is constructed with statistical tools and is set up to produce the required report to the OAS. When the system is populated with accurate descriptive data it can be linked to the borough accounting system, the GIS and to the public web site. The system is designed to be linked to associated data bases for photographs and sketches. I have not been able to load sufficient data into the new data base to be able to produce usable results for the 2014 tax roll.

We have conducted inspection of property in 2013. We have taken photographs and loaded them to a useable data base. We have begun to create sketches or update existing sketches. We do not have a functional data base to load the new descriptions of inspected property. We are near completion of the setup of the new data base which will allow for the entering of the inspection information. We targeted property with new construction or that which had not been inspected in more than ten years. These property records are probably the worst in the current records and take longer to update than typical records with more accurate information.

**TOTAL TAX BASE**

Reviewing the 2013 tax roll by value:

|                      |        |
|----------------------|--------|
| Residential property | 60%    |
| Vacant land          | 18%    |
| Commercial           | 14%    |
| Industrial           | .05%   |
| Apartments           | .0091% |

Tax roll by Parcel count:

|                   |              |      |
|-------------------|--------------|------|
| Improved Property | 1378 Parcels | 53%  |
| Vacant Land       | 1195 Parcels | 47%  |
| Total             | 2573 Parcels | 100% |

**LAND VALUE**

We have reviewed all of the land and established new segments for market models. We are addressing the inequity created in the last valuation/appeal process. We are also looking at inconsistencies in

valuation for commercially zoned land and land in several specific neighborhoods. This new segmentation is being loaded into the new data base along with any available market data. The equalization process will result in a reduction in the total land value from the 2013 assessed value. I have not completed the valuation and do not currently have an estimate of the amount of the reduction.

### **BUILDING VALUE**

In 2013 approximately 52% of the tax base was made up of improvement (BUILDING) value. Historically the Marshall Swift valuation system has been used as the basis of this value. The records have been updated and modified inconsistently from year to year. Originally we thought there were many stored estimates created over time which could be updated to a current estimate on a mass basis. We found that many estimates of the same properties had been saved and we were unable to update those which had been saved (628). We have now established a procedure where this system can be used in the future but it will take several years to create a library of estimates on the existing buildings. It takes from 15 minutes to one hour to enter each estimate into this system. This indicates a requirement of between 344 and 1378 hours of labor to create improvement values for the entire tax base. This can be maintained at a relatively low cost on a yearly basis once the estimates are saved. There is an alternative in creating a cost estimation model in the new data based which would use the property descriptions entered into the data base. We have begun the collection of local market data on the actual cost to build new in Haines. This information is needed with either cost approach estimation process.

For the 2014 valuation process we have used the local information and a few typical cost estimates from Marshall Swift to derive a multiplier for the current improvement values as shown in the 2013 tax roll. I currently feel that a 3% increase in improvement value from the 2013 value on the residential property is warranted. I believe that no increase in the value of the commercial structures can be supported by the current information. We have begun collecting rent and operating expense information which can be used to develop income approach models in the future. In 2014 there is insufficient information to model value by the income approach. We have also studied local commercial property listings and recorded deeds of trust but do not have sufficient data collected and organized to estimate value.

### **LOADING THE DATA BASE**

The Borough currently has 2573 property records. The lots with buildings account for 1,378 records and the vacant land parcels account for 1,195 tax parcels. We are currently testing how fast the data can be entered from the existing property record cards to the data base. Preliminary tests indicate 15 minutes per record if there are no complications in interpreting the paper files. This would indicate a required labor time of 643 hours. At this rate of 4 records per hour a single employee could enter 32 records per day or 160 records per week. Experience indicates a realistic rate of about half that amount or 80 records per week per employee. An estimate of the required time would be 32 weeks of work. The rate of production depends on the quality of the data in the records and the skill and training of the people doing the data in-put. This rate of production does not include supervision, training or error correction. If an estimated cost is \$30/hour for 643 hours the total cost of data entry would be \$19,290. Encountered problems could double that cost. Based on the current expectation of re-inspection on a four year cycle approximately 640 records should be reviewed and update each year as part of the normal work of the division. This is not an extraordinary cost for the borough.

## MAINTENANCE

Based on my experience I believe that a taxing jurisdiction the size of Haines requires three full time employees dedicated to the assessment task. One full time Assessor as a department director, one field data collector/property inspector, and one clerical support person. The Assessor needs managerial authority to match his legal responsibility. All decisions regarding taxability are the legal responsibility of the Assessor under Alaska Statute. Therefore the record system, application, review and determination of taxability should be done by the assessor or under the Assessors direct supervision. The listing of taxable property and the issuance of the notice of value is the legal responsibility of the Assessor. The estimation of assessed value and its associated appeal process are the legal responsibility of the assessor and should be under the assessor's direct managerial authority. The final certification of the tax roll prior to issuance of the tax bills is the responsibility of the assessor. A person with the knowledge and skill of an assessor needs to be in charge of hiring decisions, training, and quality control, discipline of subordinates, planning of work, management of work plans, and the development and maintenance of technical systems.

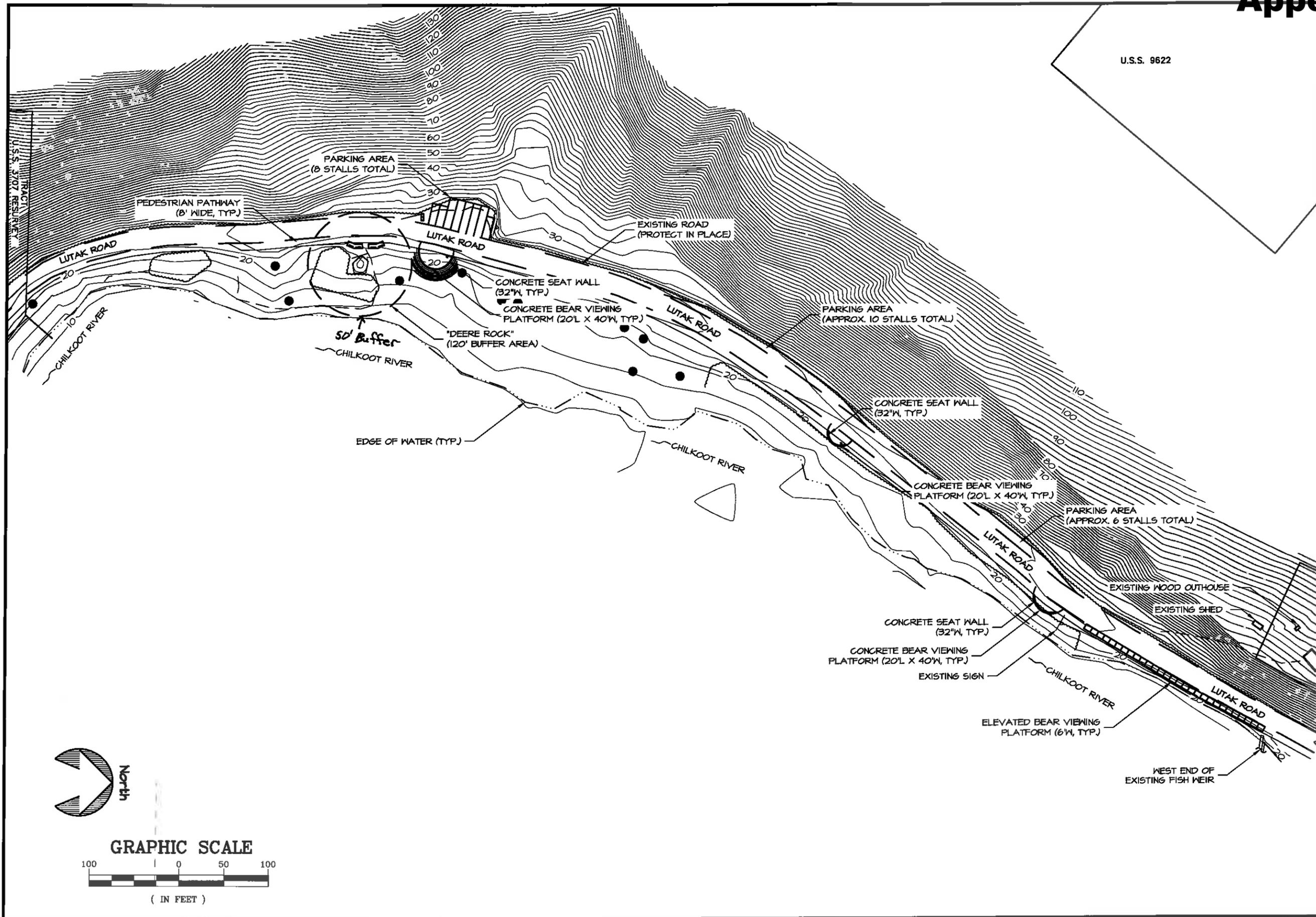
This level of staffing would provide approximately 229 work days per staff position or 687 labor hours in total. Considering a tax base made up of 2,573 parcels 53% of which are improved with buildings this appears to be a reasonable amount of labor to support the assessment function. Comparison to other taxing jurisdictions in Alaska is difficult. Each jurisdiction has a different ratio of vacant to improved property. Many have significant components of remote property. Also most of the larger jurisdictions have established electronic data systems with all property described and entered into the system.

A comparison of the budget allocated by each jurisdiction on a dollar per parcel basis indicates that the older established systems have a typical budget of \$60 per tax parcel. Ketchikan and Kodiak are expending \$112 and \$106 per parcel respectively. While Haines has reported a budget of \$112 per parcel no allocation has been made for other assigned duties or the sharing of assigned labor. I have no specific accounting for the time allocation of the clerical staff. The assignment of Land Manager duties to the assessment staff appears to be taking close to 75% of available labor hours. If the current budget is allocated 25% to Assessment tasks the indicated expenditure per parcel is approximately \$28. One method of dealing with an allocated time situation is to formally set a schedule. As an example no calls are take or work done on the land manager tasks for three days per week and two days per week are dedicated to the land manager task. Another tool for effective time management is to have all calls answered by the clerical staff or answering machine and responses to calls are allocated to the appropriate staff member during the time set aside for that task. Constant interruptions to answer phone calls as the come in is the least effective time management approach. Getting information out onto the Borough web site along with a clerical staff which is trained to direct people to the web site answer is an effective way of providing timely, correct and consistent answers to taxpayer's questions. Linking information from the new data base to the web site will enable this approach.

While I agree with the OAS strong recommendation to separate the land manager function from the assessment function I believe that a three person staff with the correct organizational structure, work rules and management authority can probably accommodate both the land manager function and the assessment function.

My immediate priority has been to direct attention to the concerns of the community related to last year's assessment and appeal process. My second priority has been to complete the tax roll by mid-

March so that the fiscal process can proceed in a timely manner. My third priority is to establish the work procedures and a functional electronic data base to support the assessment process in future years. Forth on my list of priorities is meeting the 4 year re-inventory cycle and begin the correction of property descriptions in a consistent and systematic manner.



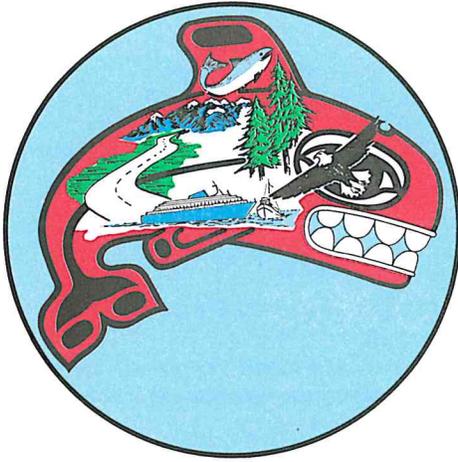
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES  
**CHILKOOT LAKE SRS  
 BEAR VIEWING AREA  
 PROJECT No. 72031-1**



PREPARED: LEB  
 DRAWN: JPB  
 REVIEWED: SEP  
 DATE: 01/24/14

SHEET  
 OF 1 SHEETS

# Appendix I



**HAINES BOROUGH, ALASKA**  
**P.O. BOX 1209 • HAINES, ALASKA 99827**  
**Administration 907.766.2231 • (fax) 907.766.2716**  
Tourism 907.766.2234 • (fax) 907.766.3155  
Police Dept. 907.766.2121 • (fax) 907.766.2128  
Fire Dept. 907.766.2155 • (fax) 907.766.3373

March 4, 2014

The Honorable Sean Parnell  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001  
sean.parnell@alaska.gov

VIA EMAIL TRANSMISSION

Re. HB1 – Request not to sign

Dear Governor Parnell:

I write to you regarding my grave concerns with HB1, the driver license bill targeting immigrants that recently passed the Alaska House and Senate. I urge you to veto this bill due to the harmful impact it will have on the ability of Alaska employers to employ qualified foreign professional workers. The Haines Borough employs one such worker who will be impacted by this bill.

From news accounts of the passage of HB1, it is clear to me our Alaska legislators are not familiar with the technicalities of US immigration law and have failed to appreciate how this bill will hurt Alaska employers. The bill purports to limit the period of time for which the Alaska DMV may issue an Alaska driver license to a lawfully present, lawfully employed foreign worker. The bill will force the borough's foreign worker to repeatedly seek renewal of her Alaska license; having an Alaska driver license is a requirement of her job, and it will be a hardship for her and for us to force her to repeatedly seek renewal of it.

Our worker, for example, is lawfully employed by the borough because the US Department of Homeland Security approved her to work for us for an initial period of three years. By law, we may seek renewal of this employment, and upon the filing of an extension petition, our worker's ability to work for us is automatically extended under federal immigration regulations.

Our worker's visa, however, is a different matter. Her visa, which is merely a document that allows her to travel internationally, was issued by the US Department of State under the terms of the State Department's "reciprocity tables" between the United States and our worker's home country; under those tables, she cannot get a visa for more than a year at a time, and getting a visa requires her to leave the United States. Our worker does not need a valid visa in order to work for us because her job does not require international travel. From statements in the paper made by the sponsor of HB1, Rep. Bob Lynn, we understand that the Alaska DMV may refuse to renew our employee's driver's license unless she has a valid visa. Because she is not required to have a valid visa in order to work for us (she needs valid worker status, but not a visa), HB1 would pose hardship to us and to our worker, and may prevent her from obtaining the Alaska driver license that she needs as a condition of employment.

Governor Parnell – HB1  
Page Two

I believe Alaska's legislators are unfamiliar with the technicalities of US immigration law, and passage of this bill will hurt our ability to employ valuable workers. I urge you to veto HB1 when it reaches your desk.

Sincerely,

A handwritten signature in blue ink that reads "Julie Cozzi". The signature is written in a cursive style with a large initial "J" and a stylized "C".

Julie Cozzi  
Interim Borough Manager

cc: Haines Borough Assembly and Mayor

# ADN.com

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## Senate passes bill restricting licenses for foreigners

By RICHARD MAUER

[rmauer@adn.com](mailto:rmauer@adn.com) February 28, 2014

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The Senate passed a driver's license bill Friday targeting non-citizens who have temporary visas by reducing the period that their Alaska licenses are valid to no more than a year.

The measure, House Bill 1, passed 13-4. It passed the House last year, 28-7, and now goes to Gov. Sean Parnell for his signature.

Urban Democrats who spoke against the bill said it would require the Division of Motor Vehicles to learn the complexities of federal immigration law and put an extra burden on the poor, foreign students and refugees.

Supporters said it was a minor change to the law that would prevent foreigners who overstayed their visas from using an Alaska driver's license as identification.

"This isn't going to change western civilization," said Sen. Pete Kelly, R-Fairbanks.

Sen. Bill Wielechowski, D-Anchorage, described the bill as "well-meaning legislation" with serious consequences for the state budget and some of its residents, including Hmong refugees who live in his East Anchorage district.

"The problem with the Hmong refugees -- who fought for our country, were persecuted and fled their native land -- is that many of them have no documents of their place of origin," Wielechowski said. "I've had numerous meetings with DMV over the years to help and DMV has been very accommodating. If we pass this law, that all changes. This will become infinitely more difficult for them to get their driver's licenses."

The bill is one of several in the Legislature targeting non-citizens, and the first to pass. The most recent, awaiting a decision in the House Rules Committee on whether to send it to the House floor, would prevent courts from taking the likelihood of deportation into consideration when sentencing a non-citizen. A voter photo ID bill, promoted as a tool to prevent fraudulent voting, including by non-citizens, is also in the House Rules Committee but faces broad opposition from legislators who are concerned it would suppress voting in the Bush, where photo IDs are difficult to come by, and among the elderly, poor and students.

Sen. Fred Dyson, R-Eagle River, led floor action Friday on the driver's license bill, describing it as the product of the "only other distinguished member of the geezer caucus," of which Dyson, at age 75, is one.

Both the driver's license bill and the voter ID bill were introduced into the Legislature by Rep. Bob Lynn, the oldest member of the Legislature at 81 and a Republican who represents the Anchorage Hillside. Lynn, a native of largely Hispanic East Los Angeles, says he came to Alaska in 1995.

When he spoke for his bill in a Senate committee last year, Lynn said, "Today somebody can walk into the DMV with a visa that expires in two weeks and get a drivers license for five years. I don't think that makes any sense."

The bill would require DMV clerks to check the status of non-citizens and ensure the expiration date of their licenses wasn't greater than that of their visas. A documented alien authorized to stay in the country indefinitely would get a license that had to be renewed annually instead of the 5-year licenses issued to citizens and immigrants with permanent resident status.

"There are some circumstances in which a foreign visitor to our land has gotten a driver's license and the date of

the expiration significantly extends beyond what their visa does," Dyson said. "It's not our job to police what visas are issued or their expiration date, but we have a responsibility to see that our major means of identification is not used inappropriately."

Wielechowski said the bill is trouble. Federal law is complex with some 80 types of immigration and visa statuses.

"The purpose of driver's licenses is to make sure people can drive safely on our roads," Wielechowski said. The DMV shouldn't be turned "into an arm of the federal Immigration and Naturalization Service," he said.

The bill would have a large impact in parts of Anchorage with big immigrant populations, he said. Mountain View is the most diverse community in the United States, and three of Alaska's high schools are among the top five diverse schools in the country, he said.

The bill "doesn't make us any safer," Wielechowski said. "The illegal aliens are not the ones who are going to be going down and registering for driver's licenses."

But Dyson responded that Wielechowski was making the bill more complex than it was.

"All this does is allow the Department of Motor Vehicles to issue a license for less than 5 years," Dyson said. "It doesn't require them to inquire of the status, but indeed if they know that the visa is for a limited period, they have the option of not issuing a license for longer than that period."

Voting for the bill were Republican Sens. Dyson and Anna Fairclough (both Eagle River); Cathy Giessel and Kevin Meyer (both Anchorage); Charlie Huggins (Wasilla); Kelly, Click Bishop and John Coghill (all Fairbanks); Peter Micciche (Soldotna); Gary Stevens (Kodiak); Bert Stedman (Sitka); and Democrats Dennis Egan (Juneau) and Donald Olson (Golovin).

Opposed were Democrats Wielechowski, Hollis French and Berta Gardner (all Anchorage) and Republican Mike Dunleavy (Wasilla).

Three senators had excused absences: Democrats Johnny Ellis (Anchorage) and Lyman Hoffman (Bethel) and Republican Lesil McGuire (Anchorage).

Reach Richard Mauer at [rmauer@adn.com](mailto:rmauer@adn.com) or 500-7388.

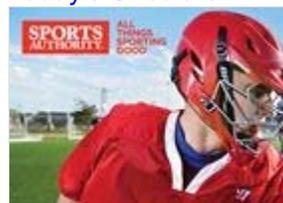
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## Join The Conversation

Anchorage Daily News is pleased to provide this opportunity to share information, experiences and observations about what's in the news. Some of the comments may be reprinted elsewhere in the site or in the newspaper. We encourage lively, open debate on the issues of the day, and ask that you refrain from profanity, hate speech, personal comments and remarks that are off point. Thank you for taking the time to offer your thoughts.

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### Today's Circulars



**SPORTS AUTHORITY**  
VALID UNTIL MAR 28



**GUITAR CENTER**  
VALID UNTIL MAR 31



**GUITAR CENTER**  
VALID UNTIL MAR 31



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VALID UNTIL MAR 31

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# 2014

## January Monthly Report

|                  | <b>2014</b> | <b>2013</b> | <b>2012</b> | <b>2011</b> |
|------------------|-------------|-------------|-------------|-------------|
| <b>Usage</b>     | 1,234       | 942         | 452         | 1,207       |
| <b>Days open</b> | 25          | 20          | 15          | 22          |

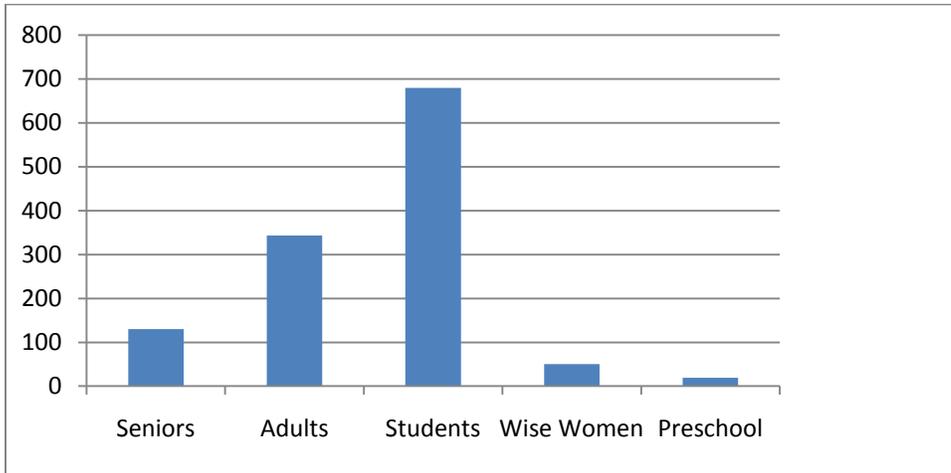
The average temperature of the pool was 81 degrees for the month of January. The reduced temperature for the swim meet during the middle of the month deterred some of the patrons and families from coming in and several complaints were received.

**A month in review:**

A lifeguard recertification training took place this month.

- January 6<sup>th</sup> The HBSD lifeguarding class was confirmed. The pool was vacuumed and the sand filter was backflushed.
- January 7<sup>th</sup> The 2<sup>nd</sup> semester High school lifeguarding class begins. The sand filter was backflushed.
- January 8<sup>th</sup> A fire drill was conducted by HBSD. Water Safety sessions for the school district began preliminary planning.
- January 13<sup>th</sup> Facility maintenance was performed this week.
- January 14<sup>th</sup> DEC inspection 8am with facility management and Bruce Grazway. Gear order with AMSEA was reviewed and submitted. Water Safety class times were scheduled.
- January 15<sup>th</sup> Damage to the trophy display case was reported.
- January 16<sup>th</sup> The pool was vacuumed. The sand filter was backflushed.
- January 17<sup>th</sup> Bolts on the elevated Lifeguard chair were reported to be rusted and in need of maintenance. Facility maintenance was notified. Preparation for the Winter Games Swim Meet was finalized.
- January 29<sup>th</sup> The Precourse report was submitted to AMSEA. Three permanent part- time instructors were hired.
- January 31<sup>st</sup> A patron reported that another patron was making inappropriate comments in the locker room. Facility management was notified and responded to the incident.

User groups:



We've also been keeping track of the users during the day in an effort to identify the swims with the most use in an effort to reduce operating and staffing costs and increase high user/demand hours.

January public swim average usage per hour:

| <b>Early Bird</b> | <b>Aerobics</b> | <b>11-1 Lap</b> | <b>Evenings family &amp; Lap</b> | <b>Saturdays</b> |
|-------------------|-----------------|-----------------|----------------------------------|------------------|
| 2                 | 4               | 5               | 8                                | 8                |

In November, a change to the opening time was recommended for the winter months. As expected, the patron use has declined for the early morning opening swim.

Early Bird Swim is averaging the lowest amount of swimmers at 2 swimmers per hour. It is estimated that the borough would've saved approx \$7,700 if the opening time had been switched in November as recommended. It is still recommended that the opening time be changed to 6:30am.

Exciting events coming up in February 2014 include staff and instructor training and AMSEA's cold water safety and survival classes with the HBSD.

That concludes the January report for 2014.



## **HAINES BOROUGH POLICE DEPARTMENT**

**PO BOX 1209**

**HAINES, AK 99827**

**PHONE (907) 766-2121 FAX (907) 766-2190**

***Interim Chief of Police Simon Ford***

February 23, 2014

### ***Police Department Report ~ Simon Ford***

#### **CHIEF**

Chief Bill Musser will take the helm on March 3<sup>rd</sup>. We are looking forward to his leadership and to gleaning from his many years of experience and training. Again, I would like to express my sincere thanks to the assembly, mayor and administrative staff for the support and willingness to invest in the police department over the past year.

#### **PATROL**

After two promising candidates withdrew their acceptance of patrol officer offers, I am pleased to announce the addition of Officer Joshua Dryden to our team of police officers. Josh is from Virginia but is currently living in Alabama with his wife and two daughters. He has approximately eight years of law enforcement experience and has also worked in armed security with agencies that contract with overseas military installations. He is well qualified and has dreamed of coming to Alaska. He will join our ranks in the first week of March to begin his field training. Josh can attend the lateral academy in Sitka from May 16-June 6<sup>th</sup> and will begin solo patrol shifts at that time.

#### **DISPATCH**

Work has begun on the installation of the E-911 / Radio project in dispatch. At one point, I counted seven people busily pulling wires, programming radios, networking computers and testing systems while Dispatch Supervisor Celeste Grimes continued to conduct business as usual in the midst of the turmoil. The new radio repeater and narrowband radio units are up and running. Dispatch now has the ability to monitor marine and air traffic and can transmit with a much clearer signal to emergency responders. There are far fewer "dead spots" and the signal is much stronger. Workers are still fine tuning and making adjustments, but the improvement is outstanding. The next phase of work will be conducted in the first week of April with the final installation of dispatch consoles and the E-911 equipment. In other dispatch news, we are currently advertising for a dispatcher to replace Katie, who has relocated to a new home in Texas.

#### **ACTIVITY**

Since the last assembly report, HBPD has made one arrest for Criminal Trespass, one arrest for violating conditions of release, took a resident into protective custody, arrested a local man for assault and criminal mischief and made one arrest for DUI. We have served several domestic violence protective orders and have taken two reports of thefts, which are still under investigation. The department is also conducting an investigation into allegations of sexual assault of a minor. I hope to have the budget "penciled in" and employee evaluations done before the arrival of Chief Musser.

## **REVENUE SUGGESTION**

Last year, the Borough Assembly created HBC 10.06.030 requiring proof of insurance to be carried and exhibited upon demand. This is a law that mirrors the language of AS 28.22.019. It is a requirement that if a police officer contacts a driver on traffic stop and asks for proof that the vehicle is properly insured, that driver can be issued a \$500 citation if he or she fails to produce evidence of insurance. This is an issue that the legislature has placed a lot of emphasis on. In fact, they amended the statute to require a mandatory \$500 penalty so the judge or magistrate can no longer reduce the fine. It is correctable, so if the driver can prove that the car was insured at the time of the traffic stop, the ticket is dismissed. HBC 10.06.030 applies anywhere in the town site, so if we write that ticket under Borough Code instead of the State Statute, that mandatory \$500 fine now goes to the Haines Borough, and not to the State of Alaska. In recent cases, we have written citations for driving with suspended or revoked licenses, operating without a valid operator's license, or similar offenses. These are misdemeanor offenses requiring a mandatory court appearance, but the fines are often reduced significantly and offenders rarely go to jail when convicted. If the Borough Assembly were to create code provisions that prohibit these offenses under Borough Code, the Borough could recover a fine. Such offenses should be classified as violations and not misdemeanors with a mandatory bail schedule. This would prevent the Borough from having to provide a lawyer to represent the defendant if the defendant could not afford to hire an attorney. Similarly, in our comprehensive plan, there is a recommendation that the Borough create a "disorderly conduct" provision in code. The state statute is a Class B Misdemeanor, but it could also be written as a violation with a mandatory bail schedule. An examination of opportunities like these may prove to be profitable in developing sources of revenue that could be used to fund police department activities in the future.

## **RESERVES**

There has been some discussion in recent weeks about the police reserves program. This program at one time was a successfully administrated division of the department that contributed many benefits to the community. It increases officer presence, provides a measure of backup to full time officers, allows flexibility during times of special events or incidents that tend to spread the department's resources thin, and develops a potential pool of recruits that have some training and experience working with the department staff. It may be very beneficial to resurrect this program, but some consideration should be given to the liability of having citizens functioning in the role of a police officer with a compromised level of training. This seems especially critical in the application of use of force. The state legislature is currently discussing the issue of whether Village Public Safety Officers (VPSO's) should be armed. There are compelling reasons on each side of the debate and some meaningful analysis of this topic should be conducted before the borough moves forward with funding the program. The cost of the reserve police officer program is significant. Besides uniforms, duty gear, ammunition, etc. the department would have to invest a considerable amount of training funds to mitigate the risk of having armed reserve officers that lack the training and education required to thoroughly understand the legal standards and issues associated with the use of intermediate weapons and lethal force. A funding source beyond the resources currently in the department's budget would have to be developed.



## *Alaska Public Entity Insurance OSHA 10-Hour SEMINAR*

- Date:** April 10th – 11th, 2014
- Location:** Hotel Captain Cook, Anchorage, AK
- Seminar Topic:** **OSHA 10-Hour General Industry Outreach Training**
- Class time:** 8:00AM – 4:30PM Thursday and from 8:00AM to Noon on Friday

**\*NOTE:** Total class time will be 10 hours and attendees must be present at all times to earn the OSHA 10-Hour course completion card.

**Who should attend:** Safety personnel, instructors, managers, supervisors, or anyone having responsibility for OSHA compliance in an industrial setting.

**Course Description:** This course is valuable as an introduction to a wide range of safety regulations and principles. The **OSHA 10-Hour** covers a variety of required course topics and materials that apply to schools and city/borough governments.

### **Subjects to be covered are:**

- Introduction to OSHA
- Walking and Working Surfaces
- Exit Routes and Fire Protection
- Electrical Safety
- Personal Protective Equipment
- Machine Guarding
- GHS HAZCOM
- Lockout/Tagout
- Confined Space Entry
- Materials Handling

Attendees will receive materials that may be used in any training they wish to give on these subjects.

### **Reserve your spot today; class size is limited.**

- *APEI will cover the hotel costs for 2 nights for 1 employee from each attending member*
- *APEI will provide continental breakfast at the hotel Thursday and Friday morning*
- *No registration fee for APEI members*
- *Non-member registration - \$150 per person*

To register, complete the attached registration form and send it to [bcadiente@akpei.com](mailto:bcadiente@akpei.com)



# Alaska Public Entity Insurance

2233 Jordan Avenue  
Juneau, AK 99801

Phone: (907) 523-9400  
Fax: (907) 586-2008  
www.akpei.com

## Alaska Public Entity Insurance OSHA 10-Hour SEMINAR REGISTRATION FORM

**Date:** April 10th – 11th, 2014  
**Location:** Hotel Captain Cook, Anchorage, AK  
**Seminar Topic:** OSHA 10-Hour General Industry Outreach Training  
**To Register:**

Please complete this form and email it to [bcadiente@akpei.com](mailto:bcadiente@akpei.com) or print & fax to 907-586-2008.

**Entity:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
*Street/PO Box City State Zip*

**Attendee:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**Member – No Registration Fee**                       **Non-Member – \$150.00/person**

*If you are a non-member, please send your registration fee to:*

**Alaska Public Entity Insurance  
2233 Jordan Ave  
Juneau, AK 99801**

*Please reference **OSHA 10-Hour** on your check.*

Please make my hotel reservation for the conference, checking in \_\_\_\_\_ and checking out \_\_\_\_\_. I understand that APEI will pay for two nights (4/9 and 4/10) and I will be responsible for any additional nights. Hotel reservations must be cancelled at least 24 hours in advance to avoid charges. I agree that I will be responsible for any cancellation charges.

I will make my own reservations and will be responsible for paying the hotel charges. APEI has a group rate with the Hotel Captain Cook of \$99.00/night, not including tax. I will make my reservation by **March 12, 2014** and reference **APEI OSHA 10-Hour** to take advantage of this rate. **Hotel Captain Cook Reservations: 1-800-843-1950**

I do not need hotel reservations.



# Appendix M

## Memo

### Public Facilities

Date: March 7, 2014  
To: Interim Borough Manager  
Cc: Mayor and Borough Assembly  
From: Carlos Jimenez, Director of Public Facilities  
Re: Project Update

#### **Borough Radio Communication System and E-911**

The radio upgrade portion of the project is near completion. The E-911 system will be installed in early April. After the installation is complete, police and dispatch personnel will be fully trained to operate the new system.

#### **High School Air Handling Unit**

Notice to Proceed has been issued to the contractor, Behrends Mechanical. The completion date for this project is August 17, 2014.

#### **PC Dock and Letnikof Harbor Upgrades**

The northerly winds have slowed the progress of construction in the last two weeks. Nevertheless, the contractors have been able to complete the driving of three more piles and 70' of deck construction, including the queuing area and ambulance turn-around. The final demolition of the existing trestle will be taking place in the next couple of weeks. Work at the Letnikof Harbor will begin in April once the remaining piles have been driven at the PC Dock. Tours of the project can be arranged by request. Please contact Carlos Jimenez.

#### **School Doors and Mat Lift**

Borough and school staff are discussing alternative locations for the mat lift, which may result in a substantial reduction in expense for the project. The contractor is waiting for the final decision before submitting a schedule to the Borough. The project will be complete before the start of the 2014/15 school year.

#### **Klehini Fire Department New Septic System**

The bids for this job were opened on February 14, 2014. Whiterock Nursery was the apparent low bidder for this project. Three bids were received. This work is scheduled to begin as soon as the ground thaws in that area.

#### **Third Avenue Reconstruction**

We anticipate this job to go out to bid by March 18. Work on Third Avenue will include sub-excavation to a minimum of 12", new pavement, sidewalks, rolled curb, a new fire hydrant, culvert addition and replacement, new catch basins and storm drains, and the removal of the retaining wall along the Haisler Hardware parking lot. The Borough is working with DEC to develop a contingency plan for dealing with contaminated soil that may be encountered. The Borough expects to encounter some contaminated soil at the south end of Third Avenue.

#### **Allen Road AC Pipe Replacement**

The Borough has received a design proposal from Carson Dorn for the replacement of existing ductile iron and asbestos cement pipe on Allen Road. In the summer of 2013, the site was surveyed for this project. Allen Road is a state-owned and maintained road. Borough staff is working with ADOT to develop a plan that allows the Borough to work in the state ROW to undertake this work.

### **Maintenance Facility Assessment**

During a recent committee-of-the-whole meeting, some concern was expressed regarding the Borough continuing to use and maintain the old public works building. It has become the "headquarters" for the facilities maintenance crew, but it does need some work. The question of whether to dispose of the building and add on to the new shop building was raised. Attached is a proposal for conducting an assessment of the old building. This amount is within the manager's spending authority, but we would like to know if a majority of the assembly wants us to proceed with this assessment.

### **Haines School Maintenance**

Recently the district has asked the Borough to take the time to be more involved in the day-to-day operations and maintenance of the school facility. This would ensure that if the district's single maintenance staff person were not able to be there for any extended amount of time, (including vacation), Borough staff would be able to manage the necessary operations for the mechanical components of the facility. This request from the school to assist in the maintenance has led Borough staff to assess what is best for the facility. It is my belief that it would be in the best interest of the Borough to take over the maintenance and operations of the school facility.



ENGINEERS, INC.

March 3, 2014

PND 14J009

Mr. Carlos Jimenez  
Director of Public Facilities  
Haines Borough  
P.O. Box 1209  
Haines, Alaska 99827

Re: Old Public Works Building  
Structural Engineering Inspection and Assessment Fee Proposal

Dear Carlos,

PND Engineers, Inc. (PND), appreciates the opportunity to assist the Haines Borough (Borough) on the Old Public Works Building Assessment project. We understand that the Borough wants to know the feasibility of renovating the existing building. You would like the building inspected and determine what can economically done to the building. You have asked PND to provide structural engineering services on this project.

The inspection will include the following:

- Taking measurements of the existing framing and developing sketches of the building framing system in floor and roof framing plan
- Inspecting and assessing the existing siding, roofing, purlins, girts, cross bracing and determining what is needed (repair or replacement) to bring these elements into a good condition.
- Inspecting existing overhead doors and personnel doors and determining whether they should be repaired or replaced.

Detailed inspections of the mechanical and electrical systems are not included in this proposal. PND is to estimate the cost to remove and replaced mechanical and electrical systems that are in poor condition or are beyond their useful life.

Sampling and testing for asbestos or hazardous materials is not included in this proposal. PND is to alert the Borough if they believe a Phase I Environmental Assessment should be performed.

No geotechnical or surveying services are included in this proposal. It is assumed that the existing building is supported on firm ground and is not experiencing active settlement or rising. It is also assumed that the building is within setback limits imposed by the Haines Borough and that the site does not have problems with site drainage or problems with the buried utilities.

Page 2  
Old Public Works Building  
Structural Engineering Inspection and Assessment Fee Proposal  
March 3, 2014

PND will estimate the cost of building renovation. This estimate will not be a detailed estimate based on construction plans but a budget level estimate with contingencies appropriate for the amount of unknowns at this time.

We will develop a letter-form report that includes a description of our methods, observations made, the sketches of the framing systems, recommendations for renovation and a rough order magnitude cost estimate to perform the noted improvements.

PND proposes to perform the above outlined services on a time and expenses basis. We anticipate our fees to be \$4,067. A detailed breakdown of this estimate is attached. We will monthly invoice our time based upon the attached rate schedule and our expenses at cost.

We can perform the inspection this week and next week. I will be out of the office from March 15 until March 21. I could also perform the inspection after March 21. I estimate that it will take two weeks after the site visit to prepare the cost estimate and report.

Hopefully, this proposal suits your needs. If you have questions or need additional information, please feel free to contact me. We look forward to your response and, if selected, working with you on this project.

Sincerely  
PND Engineers | Juneau Office



Chris Gianotti, P.E.  
Senior Engineer, Vice President

Enc.

**Haines Old Public Works Building Assessment  
 Structural Engineering Services**

**Engineering Services  
 LABOR**

Professional

Technical Administrative

| Hourly Rate | Senior Engineer VII                         | Senior Engineer III | Staff Engineer V | Staff Engineer IV | Eng. Tech. IV | Admin./ Computer Tech. IV | Costs          | Task Subtotal  |  |
|-------------|---------------------------------------------|---------------------|------------------|-------------------|---------------|---------------------------|----------------|----------------|--|
|             | \$180.00                                    | \$130.00            | \$100.00         | \$95.00           | \$90.00       | \$90.00                   |                |                |  |
| <b>1</b>    | <b>Site Visit and Inspection</b>            |                     |                  |                   |               |                           |                |                |  |
|             | 8                                           |                     |                  |                   |               |                           | \$1,440        | \$1,440        |  |
| <b>2</b>    | <b>Assessment, Cost Estimate and Report</b> |                     |                  |                   |               |                           |                |                |  |
|             | 3                                           |                     |                  |                   |               |                           | \$540          |                |  |
|             | 4                                           |                     |                  |                   |               |                           | \$720          |                |  |
|             | 6                                           |                     |                  |                   |               |                           | \$1,080        | \$2,340        |  |
|             | <b>Total Labor</b>                          |                     |                  |                   |               |                           | <b>\$3,780</b> | <b>\$3,780</b> |  |

**EXPENSES**

|                       |                            |              |
|-----------------------|----------------------------|--------------|
| Site Visit Air Fare   | 1 RTs at \$234 each trip   | \$234        |
| Meals                 | 1 lunches @ \$15 per lunch | \$15         |
| Airport Parking       | 1 days @ \$12 per day      | \$12         |
| Expense Overhead      | 10% of Above Expenses      | \$26         |
| <b>Total Expenses</b> |                            | <b>\$287</b> |

**Total Structural Inspection and Assessment Services** **\$4,067**



**PND ENGINEERS, INC  
STANDARD RATE SCHEDULE  
EFFECTIVE MAY 2013**

|                      |                                |                      |
|----------------------|--------------------------------|----------------------|
| <u>Professional:</u> | Senior Engineer VII            | \$180.00             |
|                      | Senior Engineer VI             | \$165.00             |
|                      | Senior Engineer V              | \$150.00             |
|                      | Senior Engineer IV             | \$140.00             |
|                      | Senior Engineer III            | \$130.00             |
|                      | Senior Engineer II             | \$120.00             |
|                      | Senior Engineer I              | \$110.00             |
|                      | Staff Engineer V               | \$105.00             |
|                      | Staff Engineer IV              | \$100.00             |
|                      | Staff Engineer III             | \$95.00              |
|                      | Staff Engineer II              | \$90.00              |
|                      | Staff Engineer I               | \$85.00              |
|                      | Senior Scientist               | \$110.00             |
|                      | Senior Environmental Scientist | \$105.00             |
|                      | Environmental Scientist        | \$90.00              |
|                      | GIS Specialist                 | \$90.00              |
|                      | <u>Surveyors:</u>              | Senior Land Surveyor |
| Land Surveyor I      |                                | \$95.00              |
| <u>Technicians:</u>  | Technician VI                  | \$125.00             |
|                      | Technician V                   | \$105.00             |
|                      | Technician IV                  | \$90.00              |
|                      | Technician III                 | \$80.00              |
|                      | Technician II                  | \$70.00              |
|                      | Technician I                   | \$45.00              |
|                      | CAD Designer V                 | \$95.00              |
| CAD Designer IV      | \$85.00                        |                      |
| CAD Designer III     | \$70.00                        |                      |

## February 2014 Haines Vol. Fire Dept. Monthly Report

The Haines Vol. Fire Dept. had two fire callouts in February. The first call was a mutual aid structure fire at 26 mile Haines Highway with 11 members responding. The structure was totally involved when fire crews were notified. The building of fire origin was a total loss, but adjacent structures were protected. The second call was for a vehicle rollover, with no injuries due to the accident. Fire callouts for 2014 total 2. The Haines Vol. Fire Dept. responded to 19 ambulance callouts in February. Calls included one with chest pain, two with respiratory distress, two with altered level of consciousness, three falls, a burn patient, a patient with a high fever, a patient refusal, and 8 medivacs/transport. Ambulance callouts for 2014 total 42. There were no SAR callouts in February. SAR callouts for 2014 total 1.

The first joint meeting for February was two separate trainings. Fire responders watched Firefighter 1 videos on ground ladders followed by hands on practice removing ladders from our apparatus and proper raising/lowering techniques. Ambulance crewmembers reviewed pediatric response protocols. Reviewing the Broslow Bag (a length based response bag with proper sized equipment and medication doses) was a focus. The ambulance training was EMT skills checkoffs focusing on our advanced level responders as they are recertifying as EMT 2/3s. The fire training was forward lay scenarios using Engine 1 as our primary attack pumper. We also added a second response Engine, Rescue 1 as a backup preconnect hoseline and ventilation protocols using the Ram fan for positive pressure ventilation and halligan tool for window ventilation.

Five members participated in a 20 hour recertification class taught by Julie Anderson, a big thank you goes out to her and helping us get recertified. Thom Andriesen, Cindy (CJ) Jones, Eric Kocher and Chuck Mitman tested to recertify as EMT 2s. Al Badgley tested to recertify his EMT 3. I want to thank Tara Bicknell for sitting in to updated her training skills.

Twenty members have signed up to take the Introduction to Search & Rescue class offered here the end of March. Jenn Walsh is teaching an EMT 1 class the last half of March & first half of April. Some of our responders are taking the class and updating their skill level.

Thanks to all for your efforts and participation in training and call response.

## Volunteer Hours for February 2014

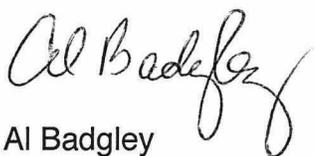
|           |     |                |     |     |
|-----------|-----|----------------|-----|-----|
| HVFD Fire | 156 | HVFD Ambulance | 292 | SAR |
|-----------|-----|----------------|-----|-----|

## Volunteer Hours for 2014

|           |     |                |     |     |   |
|-----------|-----|----------------|-----|-----|---|
| HVFD Fire | 278 | HVFD Ambulance | 498 | SAR | 5 |
|-----------|-----|----------------|-----|-----|---|

|                                     |     |       |
|-------------------------------------|-----|-------|
| Total volunteer hours HVFD for 2014 | 781 | Hours |
|-------------------------------------|-----|-------|

Respectfully submitted,



Al Badgley  
HVFD Training Officer

**Michelle Webb**

---

**From:** Stephanie Scott  
**Sent:** Saturday, March 01, 2014 11:21 AM  
**To:** Michelle Webb  
**Cc:** Julie Cozzi  
**Subject:** Fwd: Letter of Support for Recent Action

For the record. Might want to include in "Committee reports" in the next agenda.

S

Stephanie Scott  
Mayor, Haines Borough  
907-766-2231 ext.30

Begin forwarded message:

**From:** Barbara <[bj@takshanuktrail.com](mailto:bj@takshanuktrail.com)>  
**Date:** February 28, 2014, 11:50:49 AM AKST  
**To:** <[dfg.commissioner@alaska.gov](mailto:dfg.commissioner@alaska.gov)>  
**Cc:** Stephanie Scott <[mayor\\_scott@haines.ak.us](mailto:mayor_scott@haines.ak.us)>, Tanya Carlson <[tcarlson@haines.ak.us](mailto:tcarlson@haines.ak.us)>  
**Subject:** Letter of Support for Recent Action

Dear Commissioner Campbell,

The Haines Tourism Advisory Board met Monday and voted unanimously to write this letter of support and thanks for your denial to the Upper Lynn Canal Fish and Game Advisory Committee for their request to end the reciprocal fishing license program with Canada. Haines depends on our Yukon neighbors to help support and sustain our economy. The reciprocal fishing license program is a gesture welcoming them, not only to our country, but to our community and state. Most visitors from the Yukon spend multiple weekends here in the summer, and some, weeks. These visitors purchase fuel, accommodations, groceries, and souvenirs in our locally owned shops. The economy in Haines is struggling and we depend on our regional visitors to sustain us through the tough winters.

We realize this letter is somewhat delayed, but please know your consideration of our community has not gone unnoticed.

Thank you again for your service to our great state!

Sincerely,

Barbara J. Mulford,  
Chair, Haines Tourism Advisory Board

Barbara J. Mulford  
Takshanuk Mountain Trail, Inc.  
Office: 907-766-3179  
Cell: 907-209-5153

**SHELDON MUSEUM AND CULTURAL CENTER, INC**  
**Board of Trustees Meeting Minutes**  
**Friday, February 14, 2014, 10:30 a.m. at the Sheldon Museum**

**CALL TO ORDER:** 3:40 p.m. by Board President Jim Heaton

**ATTENDANCE:** BOARD: Jim Heaton, Michael Marks, Jim Shook, Bob Adkins, Lorrie Dudzik, John Hagen, and Dave Pahl STAFF: Helen Alten and Blythe Carter BOROUGH LIAISON: Not present GUEST: Joan Snyder

**ADDITIONS TO THE AGENDA:** Coupon Book update under New Business.

**APPROVAL OF AGENDA:** M/S Jim S. & Dave to approve amended agenda - approved unanimously

**APPROVAL OF MINUTES:** M/S Michael & Jim S. to approve minutes - approved unanimously

**GUEST PRESENTATION:** Joan Snyder made a request that SMCC start planning for a new and larger building. She handed out a history of SMCC and a letter making her case for a new structure in a more central location.

She also informed the Board that she will no longer be doing the Haines History radio program after this April.

**The SMCC Board would like to thank Joan for her 16 years of presenting Haines history on the radio.**

**STAFF REPORT:** Architect Corey Wall will be in Haines again next week. He has estimated \$3200 for a set of as-built building plans, \$2700 for conceptual plans for building addition/remodeling, and \$6000 for public review and fund raising program. This will give us a set of buildable plans plus a community awareness program.

- Museums Alaska is lobbying for 50/50 State funding for museum building projects. A lengthy discussion followed.
- Suggestions - Buy the vacant building across the street for archival storage and/or possible office space.  
     Buy the vacant lot just below the bank building
- Architect will be here for a Friday 2/21/14 meeting with Helen. All are welcome to attend.
- Seek Rasmussen and Foraker Group grant information regarding construction projects.

**OLD BUSINESS:** Open Board Seat – Kyle Grey, FNBA local manager, was suggested. Helen, Michael, and Lorrie will approach him.

- Six Week Spotlight – John Hagen, Maor Cohen, and Alexander Feit were selected for this season's spotlights.
- Membership Levels – Need to cut the number of levels to three. Have exhibit opens for members only, then general public openings the next day.
- Puppet Exhibit opens Feb. 20. Local participation has been beyond expectations.
- Form 990 has been submitted.

**NEW BUSINESS:** Elizabeth Peratrovich Day volunteers were Michael & Lorrie, John, and Jim S.

- Puppet Exhibit – Michael and Lorrie volunteered to help – Feb. 20
- Byrne Power honorarium – M/S Michael & Jim S. to give an SMCC honorarium of \$150, **plus** whatever contribution FNBA makes, **plus** whatever donations come in during the opening reception. Approved.
- Tot Time – Need to publicize and make parents aware of the program. Talk to Holly at the Library.
- Tlingit Language – A \$10,000 grant was submitted to the Alaska Historical Forum, for instructional equipment and technology.
- A grant request was submitted to the Rasmussen Art Acquisitions Fund to purchase a Donna Cattoti painting.
- Eldred Rock Trip – scheduled for either May 3 or 10. Ed Page from the Alaska Marine Exchange will meet the group there. Need to see about insurance for the project.
- SMCC Volunteer Appreciation Reception is scheduled for May 24 at the Chilkat Center.
- Summer hours start May 19.
- Wally Olson has granted SMCC rights to reprint and sell his books. They are in demand for use as text books.

- Computer System Upgrade – M/S Michael & Jim S. to pay Warren Johnson \$2646 to upgrade eight computers. Approved.
- Short term and Contractual Collections Staff – Helen has authority to hire Andrea Nelson and CJ Jones for collection update work.
- Summer Intern Housing – ask Arlene Brooks.
- Photo Policy – We have no policy regarding commercial, scholarly, non-duplicative, or presentational photo use, quantity discounts, or non-profit use. Needs to be developed. Copyright discussion followed.
- Joint Museums Coupon Book- further cooperation needed. Blythe will handle.

**Board Comments/Discussion:** Chit Chat Café – Volunteers, telling real stories, will begin March 20. These will be recorded, and will occur during winter months only (*March and April in 2014*). Each session will be limited to 7 speakers. Each speaker will be limited to 7 minutes. Each session will begin at 7 p.m., and admission cost will be \$7. Open to the public. Good opportunity for SMCC publicity.

**NEXT BOARD MEETING: Thursday, March 20, 2014 at 11:00 a.m**

**MEETING ADJOURNED:** at 5:09 p.m.

Respectfully submitted,

**Bob Adkins,** Secretary

Haines Borough Assembly Committee Meeting  
 Committee: Commerce  
 Assembly Chambers

Date: February 26, 2014

|                                                                                                                                                                                                                                                                                                                                      |                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Issue: Rebate of Vehicle Registration Tax for Commercial Tour Vehicles</b>                                                                                                                                                                                                                                                        |                       |
| The committee discussed redundancies generated by Title 5 Chapter 20 which require the Borough to maintain an active registration program for vehicles that are used by commercial tour operators that are required by state law to meet the same standards. The cost of administering the local program is considered unreasonable. |                       |
| <b>Recommended Action:</b> To bring before the Assembly for consideration amendments to Title 5 to eliminate the requirement for registering, inspecting and insuring commercial tour vehicles: 5.20.010 through 5.20.040, 5.20.060 A. 1. , 5.20.080. and Chapter 5.18.030.                                                          | Who: Staff            |
|                                                                                                                                                                                                                                                                                                                                      | When: ASAP or 3/25/14 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>Issue: Input to AK Board of Fisheries re: regulation changes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                 |
| This issue is before the committee to bring closure to previous discussion re: Icy Straits seine fisheries interception issues and Dungeness crab subsistence fisheries. The Board of Fisheries is soliciting proposals for rule changes for commercial, subsistence, sport and personal use fisheries to be considered at its meeting April 10. The Chair reported that discussion with local fishermen and Randy Bachman, biologist, ADF&G did not seem to warrant the Borough's submission of a proposal at this time. It was noted that 2014 will be the third and final year of the genetics research ongoing in the Lynn Canal. It was noted that the local F & G Advisory Committee was meeting March 4 to discuss local Dungeness proposal |                 |
| <b>Recommended Action:</b> Request review of proposal put forth by local F & G Advisory Committee for possible Borough sanction and support.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Who: Chair      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | When: B4 3/4/14 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>Issue: Possible Impact of Mental Health Leases on Borough Commerce, Resources...Taxation, Management, Cooperation</b>                                                                                                                                                                                                                                                                                                                                                                                     |               |
| The committee discussed generally the issues that could arise from the long-term leasing of Mental Health Trust Lands for mineral exploration, as is currently being advertised. The Chair noted reference to a current negotiated lease of 1320 acres on Cahoon Creek to Blue Ribbon Mining, Inc. The opportunities for revenue-generating taxation through income, property and severance were noted. The importance of timeliness in discussions about taxation and cooperation was brought to the table. |               |
| <b>Recommended Action:</b> (1) to maintain a communication link with Mental Health Trust to stay informed of development in the leasing area. (2) To request Raw TV/Discovery to reference Haines in the production of "Gold Rush," an internationally-marketing TV series.                                                                                                                                                                                                                                  | Who: Mayor    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | When: Current |

Meeting Chaired by Debra Schnabel

Minutes by Debra Schnabel

Committee Members Attending: Jerry Lapp, George Campbell, Debra Schnabel

Staff Attending: Darsie Culbeck

Citizens and Consultants:

Haines Borough Assembly Committee Meeting  
Committee: Commerce  
Assembly Chambers

|                                                                                                                                                                                                                                                                                                                                    |                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Issue: Solid Waste Management Survey</b>                                                                                                                                                                                                                                                                                        |                   |
| A survey of local household's attitudes and practices regarding trash, garbage, recycling, etc. was launched in early February using SurveyMonkey.com. The Chair reported that participation was low and would be nurtured and encouraged to assure reliable results. Goal is to get the data collected and analyzed by mid-March. |                   |
| <b>Recommended Action:</b> Be patient                                                                                                                                                                                                                                                                                              | <b>Who:</b> Chair |
|                                                                                                                                                                                                                                                                                                                                    | <b>When:</b> ASAP |

Meeting Chaired by Debra Schnabel

Minutes by Debra Schnabel

Committee Members Attending: Jerry Lapp, George Campbell, Debra Schnabel

Staff Attending: Darsie Culbeck

Citizens and Consultants:



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-430

**Assembly Meeting Date:** 3/11/14

| <b>Business Item Description:</b>                                                                                   |  | <b>Attachments:</b>                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject:<br>Authorize Contract for the Purchase and Delivery of a Dump Trailer for the Ports and Harbors Department |  | 1. Resolution 14-03-539<br>2. Quote from APC Equipment & Manufacturing<br>3. Shipping Quote from AML<br>4. Memorandum from Harbormaster<br>5. Spreadsheet of Cost Savings<br>6. Trailer Pictures |
| Originator:<br>Port & Harbor Advisory Committee                                                                     |  |                                                                                                                                                                                                  |
| Originating Department:<br>Ports & Harbors                                                                          |  |                                                                                                                                                                                                  |
| Date Submitted:<br>3/6/14                                                                                           |  |                                                                                                                                                                                                  |

**Full Title/Motion:**  
Motion: Adopt Resolution 14-03-539.

**Administrative Recommendation:**  
The Harbormaster recommends adoption of this resolution.

**Fiscal Impact:**

| Expenditure Required | Amount Budgeted | Appropriation Required |
|----------------------|-----------------|------------------------|
| \$ 13,889.68         | \$ 13,889.68    | \$ 0                   |

**Comprehensive Plan Consistency Review:**

|                                                   |                                                                                 |
|---------------------------------------------------|---------------------------------------------------------------------------------|
| Comp Plan Policy Nos. :<br>Objective 4B, Page 144 | Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|---------------------------------------------------|---------------------------------------------------------------------------------|

**Summary Statement:**

In 2012 the cost for having the harbor dumpsters picked up nearly tripled. The Harbormaster researched purchase of a dump trailer for disposal of Ports and Harbors trash. The Port and Harbor Advisory Committee in October 2013 unanimously approved forwarding for approval the purchase of a dump trailer for the Ports and Harbors Department. APC Equipment & Manufacturing has provided a quote of \$12,495 for a dump trailer, including freight to Seattle. The Harbormaster projects the dump trailer would pay for itself completely within two years of use, due to a predicted cost savings of approximately \$8,000 per year. The Haines Borough Assembly on 2/25/14 approved Ordinance 14-01-365, which appropriated \$12,810 for purchase of a dump trailer for ports and harbors for the purpose of trash disposal. The remaining \$1,079.68 in shipping costs to Haines would be paid out of a contingency fund for Capital Improvement Projects.

**Referral:**

|                 |               |
|-----------------|---------------|
| Sent to:        | Date:         |
| Recommendation: | Meeting Date: |
| Refer to:       |               |

**Assembly Action:**

|                          |                         |
|--------------------------|-------------------------|
| Workshop Date(s):        | Public Hearing Date(s): |
| Meeting Date(s): 3/11/14 | Tabled to Date:         |

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with APC Equipment & Manufacturing in the amount of \$12,495 for the purchase and delivery of a dump trailer for the Ports and Harbors Department.**

**WHEREAS**, in 2012 the cost for having the harbor dumpsters picked up nearly tripled; and

**WHEREAS**, the Harbormaster researched purchase of a dump trailer for disposal of Ports and Harbors trash; and

**WHEREAS**, the Port and Harbor Advisory Committee in October 2013 unanimously approved forwarding for approval the purchase of a dump trailer for the Ports and Harbors Department; and

**WHEREAS**, APC Equipment & Manufacturing has provided a quote of \$12,495 for a dump trailer, including freight to Seattle; and

**WHEREAS**, the Harbormaster projects the dump trailer would pay for itself completely within two years of use, due to a predicted cost savings of approximately \$8,000 per year; and

**WHEREAS**, the Haines Borough Assembly on 2/25/14 approved Ordinance 14-01-365, which appropriated \$12,810 for purchase of a dump trailer for ports and harbors for the purpose of trash disposal; and

**WHEREAS**, the remaining \$1,079.68 in shipping costs to Haines would be paid out of a contingency fund for Capital Improvement Projects,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly authorizes the Borough Manager to contract with APC Equipment & Manufacturing in the amount of \$12,495 for the purchase and delivery of a dump trailer for the Ports and Harbors Department.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

\_\_\_\_\_  
Michelle Webb, Interim Borough Clerk

# APC EQUIPMENT & MFG., INC.

March 7, 2014

FROM: Kris French

## 2014 MAXEY 7'X14' PINTLE ROLL OFF TRAILER

### STANDARD FEATURES

|                              |                                                                            |
|------------------------------|----------------------------------------------------------------------------|
| <b>GVWR:</b>                 | <b>14,000 lbs</b>                                                          |
| <b>Empty Trailer Weight:</b> | <b>2,700 lbs</b>                                                           |
| <b>Net Payload Capacity:</b> | <b>11,300 lbs (including dumpster weight)</b>                              |
| <b>Axles:</b>                | <b>Tandem 7,000lb 8 lug (electric brakes on both axles)</b>                |
| <b>Tires:</b>                | <b>New ST235/80 radial 16" E range 10ply trailer tires (3,520lbs each)</b> |
| <b>Wheels:</b>               | <b>16"x6" 8 hole</b>                                                       |
| <b>Main Frame:</b>           | <b>6"x2" rectangular steel tubing</b>                                      |
| <b>Tongue:</b>               | <b>8" channel</b>                                                          |
| <b>Tilt Frame:</b>           | <b>3"x2" rectangular steel tubing</b>                                      |
| <b>Cross Members:</b>        | <b>3" channel</b>                                                          |
| <b>Dumpster Flooring:</b>    | <b>1/8" thick sheet steel</b>                                              |
| <b>Dumpster Siding:</b>      | <b>1/8" thick sheet steel</b>                                              |
| <b>Dumpster Doors:</b>       | <b>Double swing doors (opens like barn doors)</b>                          |
| <b>Battery:</b>              | <b>3 Group 27 deep cycle marine (charges while being towed)</b>            |
| <b>Pump:</b>                 | <b>Electric over hydraulic - power up / power down</b>                     |
| <b>Controller:</b>           | <b>10' corded remote control</b>                                           |
| <b>Hydraulics:</b>           | <b>Dual 3.5" hydraulic cylinder (20,000lb lift capacity)</b>               |
| <b>Winch System:</b>         | <b>15,000lb industrial Warm winch</b>                                      |

March 7, 2014

Page 2

|                         |                                                                                   |
|-------------------------|-----------------------------------------------------------------------------------|
| <b>Coupler:</b>         | <b>2 5/16" adjustable OR 3" Pintle</b>                                            |
| <b>Jack:</b>            | <b>12,000lb drop leg jack</b>                                                     |
| <b>Fenders:</b>         | <b>Tandem 14ga tread plate fenders</b>                                            |
| <b>Lights:</b>          | <b>All LED stop/turn/clearance lights (rear lights encased in steel housing)</b>  |
| <b>Safety Features:</b> | <b>All required DOT lighting, safety chains, DOT tape, and break-a-way switch</b> |
|                         |                                                                                   |

Trailer Price: \$9,995.00

Freight to Seattle: \$2,500.00

**Grand total: \$12,495.00**

Options:

2 PIECE METAL ROLLING LID \$2,438.00



5615 W MARGINAL WAY SW  
 P O BOX 24348  
 SEATTLE, WA 98124-4348  
 1-800-950-4265

100 MT ROBERTS ST  
 JUNEAU, AK 99801  
 1-907-586-3790  
 1-800-585-6102

**Rate Estimate OS76**

Prepared For: HAINES BOROUGH  
 Phone: 907 766-2231  
 Fax:  
 Email: pbenner@hainesak.us

Date: March 6, 2014  
 Origin: SEA  
 Destination: HNS  
 Project Name:  
 PO Number:  
 Estimated Ship Date: March 6, 2014

Prepared By: Connie Ward  
 cward@lynden.com  
 Phone: 907 766-2221  
 Fax: 907 766-2639

| Qty | UOM | Freight Description          | Dimensions (LxWxH) | Weight | Rate    | Charge   |
|-----|-----|------------------------------|--------------------|--------|---------|----------|
| 1   | EA  | 2014 PINTLE ROLL-OFF TRAILER | 14' x 7'           | 2,700  |         |          |
|     |     | FLAT CHARGE                  |                    |        |         | 1,172.00 |
|     |     | FUEL SURCHARGE               |                    |        | 19.00 % | 222.68   |
|     |     | TOTAL CHARGES:               |                    |        |         | 1,394.68 |

**TERMS AND CONDITIONS:**

- Rated to Alaska Marine Lines destination terminal only.

Green is good! Do your part in saving the environment by accessing documents electronically. Go to <http://www.lynden.com/ez-signup.html> and sign up for EZ Commerce, making it easier to conduct business at your fingertips. You can request pickups, generate shipping documents, track shipments, receive invoices and make payments electronically. Service is free, sign up today!

This estimate has been prepared based on information provided on this date and is valid for 30 days. Charges may differ from those contained herein due to changes in weight, dimensions, description of goods, or requested services. Fuel surcharge is estimated at the level in effect on this date, is subject to change without notice and will be billed at the level in effect in Carrier's published tariff on the date of shipment. All services are subject to the standard terms and conditions of our tariff (available at [www.lynden.com/aml/100terms.htm](http://www.lynden.com/aml/100terms.htm)) and the bill of lading published therein. Any bill of lading or other shipping document issued shall not be effective to the extent it conflicts with our terms and conditions. By shipping with Alaska Marine Lines, Inc., you are acknowledging acceptance of our terms and conditions.

17 October, 2013

**MEMORANDUM**

From: Phil Benner, Haines Harbormaster  
To: Julie Cozzi, Haines Borough Manager

Attachments (1) Quote from APC Equipment and Mfg.  
(2) Spreadsheet of expense versus savings of hauling trash

1. At the 17 October, 2013 meeting of the Port and Harbor Advisory Committee (PHAC), the committee unanimously approved forwarding for approval the purchase of a dump trailer for the Ports and Harbors.
2. In 2012 the cost for having the Harbor dumpsters picked up nearly tripled in costs. This was due to the rate hike from Haines Sanitation for hauling and disposal of trash. At approximately the same timeframe the Harbor Department began the process of separating trash for recycling. We have now had the single stream recycling dumpster in use for one season, and though it did cut cost a little, PHAC wanted to explore different avenues for cutting cost. The Harbormaster explored purchase of a dump trailer for disposal of Port and Harbor trash. Upon investigation we have found a cost savings of approximately \$8,000.00 per year with the use of a dump trailer. Both Haines Sanitation and Acme Transfer will accept trash from the trailer. The dump trailer would pay for itself completely in two years of use.
3. We ask that the Assembly review and recommend the purchase of the dump trailer for Haines Port and Harbors. The total cost with delivery to Haines is \$12,807.00
4. Thank you, any questions please feel free to contact me.

**June 2012-May 2013**

|          |         |      |        |
|----------|---------|------|--------|
| Poundage | 173,205 | 86.6 | Tonage |
|----------|---------|------|--------|

**Haines Sanitation**

|                       |       |      |              |
|-----------------------|-------|------|--------------|
| If we hauled it/by lb | \$    | 0.15 | \$ 25,980.75 |
|                       |       |      | \$ 5,662.70  |
| Actual cost           | Mixed |      | \$ 31,643.45 |

**Acme**

|                          |    |        |              |
|--------------------------|----|--------|--------------|
| If we haul it/by the ton | \$ | 500.00 | \$ 43,301.25 |
|--------------------------|----|--------|--------------|

| <b>Avoidable Loss</b> |                    |
|-----------------------|--------------------|
| We haul               | \$ 5,662.70        |
|                       | \$ 412.32 dumpster |
|                       | <b>\$6,075.02</b>  |

| <b>Potential Future Savings</b> |                |
|---------------------------------|----------------|
| 6075 plus 30%                   | <b>7958.25</b> |





**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-431

**Assembly Meeting Date:** 3/11/14

| <b>Business Item Description:</b>                                                                                   |                                                   | <b>Attachments:</b>                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Subject:<br>Accept Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant and Enter into a Grant Agreement | Originator:<br>Executive Assistant to the Manager | 1. Resolution 14-03-540<br>2. Recommendation for Funding<br>3. Letter of Support from Richard Chapell, Alaska Department of Fish and Game |
| Originating Department:<br>Administration                                                                           | Date Submitted:<br>3/6/14                         |                                                                                                                                           |

**Full Title/Motion:**  
Motion: Adopt Resolution 14-03-540.

**Administrative Recommendation:**  
The Interim Borough Manager recommends adoption of this resolution.

**Fiscal Impact:**

| Expenditure Required | Amount Budgeted | Appropriation Required |
|----------------------|-----------------|------------------------|
| \$                   | \$              | \$                     |

**Comprehensive Plan Consistency Review:**

|                                                  |                                                                                 |
|--------------------------------------------------|---------------------------------------------------------------------------------|
| Comp Plan Policy Nos.:<br>Objective 4B, Page 144 | Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--------------------------------------------------|---------------------------------------------------------------------------------|

**Summary Statement:**

The Haines Boat Harbor has a project in place to purchase three aluminum fish cleaning tables and three aluminum floating fish waste dumpsters to be built and shipped to Haines. The fish waste dumpsters will collect waste from fish cleaning tables on borough-owned docks. Harbor staff will maintain the dumpsters by towing them out of the harbor area and emptying fish waste in deep water. Removing fish waste from the inner harbor is supported by the Alaska Department of Fish and Game as a way to protect habitat. The Haines Borough has been appropriated a 2014 Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant in the amount of \$31,500 for the purpose of Haines Borough Harbors Fish Waste Disposal. This resolution is to accept the grant and authorize the Borough Manager to enter into a grant agreement with the Department of Commerce, Community, and Economic Development.

**Referral:**

|                 |               |
|-----------------|---------------|
| Sent to:        | Date:         |
| Recommendation: | Meeting Date: |
| Refer to:       |               |

**Assembly Action:**

|                          |                         |
|--------------------------|-------------------------|
| Workshop Date(s):        | Public Hearing Date(s): |
| Meeting Date(s): 3/11/14 | Tabled to Date:         |

**A Resolution of the Haines Borough Assembly accepting a 2014 Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant in the amount of \$31,500 for the purpose of Haines Borough Harbors Fish Waste Disposal and authorizing the Borough Manager to enter into a grant agreement with the Department of Commerce, Community, and Economic Development.**

**WHEREAS**, the Borough Assembly is the governing body of the Haines Borough; and

**WHEREAS**, the Borough owns and operates the Haines Boat Harbor and has a project in place to purchase three aluminum fish cleaning tables and three aluminum floating fish waste dumpsters to be built and shipped to Haines; and

**WHEREAS**, the fish waste dumpsters will collect waste from fish cleaning tables on borough-owned docks; and

**WHEREAS**, harbor staff will maintain the dumpsters by towing them out of the harbor area and emptying fish waste in deep water; and

**WHEREAS**, removing fish waste from the inner harbor is supported by the Alaska Department of Fish and Game as a way to protect habitat; and

**WHEREAS**, the Haines Borough has been appropriated a 2014 Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant in the amount of \$31,500 for the purpose of Haines Borough Harbors Fish Waste Disposal,

**NOW, THEREFORE, BE IT RESOLVED** that the Haines Borough Assembly hereby accepts the 2014 Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant in the amount of \$31,500 for the purpose of Haines Borough Harbors Fish Waste Disposal and authorizes the Borough Manager to enter into a grant agreement with the Department of Commerce, Community, and Economic Development.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

\_\_\_\_\_  
Michelle L. Webb, Interim Borough Clerk



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

OFFICE OF THE COMMISSIONER

P.O. Box 110800  
Juneau, Alaska 99811-0800  
Main: 907.465.2500  
Programs fax: 907.465.5442

February 12, 2014

Julie Cozzi, Interim Borough Manager  
Haines Borough  
P.O. Box 1209  
Haines, AK 99827

**Re: 2014 Southeast Alaska Chinook Salmon Mitigation Infrastructure Grants**

Dear Ms. Cozzi:

I am pleased to inform you that an Application Selection Committee recently evaluated your application for the Southeast Alaska Chinook Salmon Mitigation Infrastructure Grant Program. The following project was recommended for funding at the amount indicated:

- \$31,500.00 Haines Borough Harbors Fish Waste Disposal

The DCRA grant section in Juneau will be in touch soon to assist you in identifying any federal and state requirements that may be relative to your project and to negotiate your grant agreement. Any funding reductions or other conditions related to this award will also be addressed in correspondence from your grant administrator.

This letter does not authorize you to incur costs or otherwise obligate these funds until your grant agreement has been fully executed. Should you have any questions regarding this award, please feel free to contact Jolene Julian at 907-465-4758.

Congratulations on your successful application. We at the Department of Commerce, Community and Economic Development look forward to working closely with you on this important project and offer our best wishes for your success.

Sincerely,

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell  
Commissioner

Cc: Scott Ruby, DCRA Director  
Jolene Julian, Grants Administrator III

RECEIVED Haines Borough

FEB 19 2014

Clerk's Office



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of  
Fish and Game**

DIVISION OF SPORT FISH  
Haines Area Office

Mile 1 Haines Highway  
P.O. Box 330  
Haines, AK 99827-0330  
Main: 907.766.3638  
Fax: 907.766.2189

December 31, 2013

Darsie Culbeck  
Executive Assistant to the Haines Borough Manager  
P.O. Box 1209  
Haines, Alaska 99827

Dear Darsie:

I support the Haines Borough's proposal to purchase and install fish cleaning tables with fish waste collector barges at Haines harbors. The Haines Borough's fish cleaning facilities at the Small Boat Harbor and at Letnikof Cove dock are the primary sites where Haines sport anglers clean their Chinook salmon catch. Collecting anglers' fish waste, transporting it out of the harbors, and dispersing it in deep water has been an effective technique in reducing problems associated with fish waste in Haines and other Southeast Alaska communities.

In 2013, the Haines Harbor staff constructed and installed a wood-framed fish waste collection barge at the Small Boat Harbor and it was heavily used by sport anglers. The Harbor staff did a good job of maintaining the barge and emptying the fish waste on a regular basis. The more durable aluminum fish waste barges in the Haines Borough's proposal will be easier to empty, deploy, retrieve, and put into winter storage. Having more fish waste barges available will allow the Borough to expand the fish waste collection program to Letnikof Cove.

Disposal of fish waste has become an issue in many Southeast Alaska Communities; this proactive approach taken by the Haines Borough should be encouraged.

Sincerely,

A handwritten signature in black ink that reads "Richard D. Chapell".

Richard Chapell  
Haines/Skagway Area Management Biologist



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-433  
**Assembly Meeting Date:** 3/11/14

| Business Item Description:                                                               | Attachments:                                                                                                               |
|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>Subject:</b><br>Authorize Contract with Carson Dorn, Inc. for Allen Road Water Design | 1. Resolution 14-03-541<br>2. Alaska Drinking Water Fund Priority List - FY 2014<br>3. Fee Proposal from Carson Dorn, Inc. |
| <b>Originator:</b><br>Director of Public Facilities (Agenda Bill by Clerk's Office)      |                                                                                                                            |
| <b>Originating Department:</b><br>Public Facilities                                      |                                                                                                                            |
| <b>Date Submitted:</b><br>3/6/14                                                         |                                                                                                                            |

**Full Title/Motion:**  
 Motion: Adopt Resolution 14-03-541.

**Administrative Recommendation:**  
 The Director of Public Facilities recommends adoption of this resolution.

**Fiscal Impact:**

| Expenditure Required | Amount Budgeted | Appropriation Required |
|----------------------|-----------------|------------------------|
| \$ 20,000            | \$ 20,000       | \$ 0                   |

**Comprehensive Plan Consistency Review:**

|                                                    |                                                                                 |
|----------------------------------------------------|---------------------------------------------------------------------------------|
| Comp Plan Policy Nos. :<br>Objective 15A, Page 252 | Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|----------------------------------------------------|---------------------------------------------------------------------------------|

**Summary Statement:**

The Replace Allen Road AC Pipe project will provide for replacing about 2,000 feet of failing and brittle asbestos cement pipe with 8-inch PVC, adding four fire hydrants, and repaving the road in the construction area. The Allen Road project ranked third on the State of Alaska, Department of Environmental Conservation (ADEC) Funding Priority List for proposed fiscal year 2014 Alaska Drinking Water Fund projects. The Haines Borough in February 2014 applied for an Alaska Drinking Water Fund loan in the amount of \$500,000, with a 62 percent subsidy (\$311,587) in anticipation of starting construction this year. Discussions between staff and DEC representatives have indicated the Borough is likely to receive this funding. Carson Dorn, Inc. has provided a quote of \$20,000 for Allen Road Water Design to prepare plans and specifications for replacing water line on Allen Road and a portion of Comstock Road. The Borough will fund this portion of the project with advanced engineering funds.

**Referral:**

|                 |               |
|-----------------|---------------|
| Sent to:        | Date:         |
| Recommendation: | Meeting Date: |
| Refer to:       |               |

**Assembly Action:**

|                          |                         |
|--------------------------|-------------------------|
| Workshop Date(s):        | Public Hearing Date(s): |
| Meeting Date(s): 3/11/14 | Tabled to Date:         |

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Carson Dorn, Inc. for an amount not to exceed \$20,000 for Allen Road Water Design.**

**WHEREAS**, the Replace Allen Road AC Pipe project will provide for replacing about 2,000 feet of failing and brittle asbestos cement pipe with 8-inch PVC, adding four fire hydrants, and repaving the road in the construction area; and

**WHEREAS**, the Allen Road project ranked third on the State of Alaska, Department of Environmental Conservation (ADEC) Funding Priority List for proposed fiscal year 2014 Alaska Drinking Water Fund projects; and

**WHEREAS**, the Haines Borough in February 2014 applied for an Alaska Drinking Water Fund loan in the amount of \$500,000, with a 62 percent subsidy (\$311,587) in anticipation of starting construction this year; and

**WHEREAS**, discussions between staff and DEC representatives have indicated the borough is likely to receive this funding; and

**WHEREAS**, Carson Dorn, Inc. has provided a quote of \$20,000 for Allen Road Water Design to prepare plans and specifications for replacing water line on Allen Road and a portion of Comstock Road; and

**WHEREAS**, the Borough will fund this portion of the project with advanced engineering funds,

**NOW, THEREFORE BE IT RESOLVED**, that the Haines Borough Assembly authorizes the Borough Manager to contract with Carson Dorn, Inc. for an amount not to exceed \$20,000 for Allen Road Water Design.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

\_\_\_\_\_  
Michelle L. Webb, Interim Borough Clerk

**ALASKA DRINKING WATER FUND  
Funding Priority List  
Fiscal Year 2014**

| Rank | Score | Community Or System   | Public Water System ID# (Population) | Project Title                                                  | Project Description                                                                                                                                                                                                    | Assistance Amount <sup>4</sup> | Finance Rate | Term (Yrs) | Subsidy <sup>5</sup> | Green Project Amount <sup>6</sup> | Green Project Type <sup>7,8</sup> | Estimated Construction Start | Sustainability Policy <sup>9</sup> |
|------|-------|-----------------------|--------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------|------------|----------------------|-----------------------------------|-----------------------------------|------------------------------|------------------------------------|
| 1    | 250   | Cordova ♦             | AK2293205 (2,239)                    | LT2 Compliance Upgrades ■                                      | To meet LT2 compliance requirements, this project will install a UV light system, upgrade the filter system at the Eyak Lake Water Plant, and include other associated appurtenances.                                  | \$1,081,500                    | 1.50%        | 20         | \$811,125            | \$458,500                         | WTR-BC                            | 5/13/2013 ●                  | Fix it First                       |
| 2    | 220   | Oasis Water ♦         | AK2220135 (135)                      | Field of View Source Dev. and Tran. Main ■                     | Upgrade and replace a failed water source with design and construction of a new well source, an associated treatment facility, and a transmission main to deliver finished water to the subdivision.                   | \$748,650                      | 1.50%        | 20         | \$561,488            | \$748,650                         | ENG-BC                            | 6/3/2013 ●                   | Fix it First                       |
| 3    | 201   | Haines ♦              | AK2110619 (2,508)                    | Replace Allen Road AC Pipe ■ <sup>1</sup>                      | Replace 2,000' of failing and brittle AC pipe with 8" PVC, add four fire hydrants, and repave the road in the construction area.                                                                                       | \$500,000                      | 1.50%        | 20         | \$311,587            | \$500,000                         | ENG-CAT                           | 7/1/2013 ●                   | Fix it First                       |
| 4    | 201   | Spenard Heights Water | AK2211821 (100)                      | Spenard Heights Distribution System Replacement                | Replacement of substandard distribution system with a new upgraded distribution system which will be connected to AWWU water system upon completion.                                                                   | \$2,574,300                    | 1.50%        | 20         |                      | \$2,574,300                       | ENG-BC                            | 5/15/2014                    | Fix it First                       |
| 5    | 176   | Anchorage             | AK2213001 (291,826)                  | Wonder Park Water Upgrade, Ph II ■                             | Improvements include replacing 6 and 8-inch of deteriorating water mains within the Wonder Park Subdivision.                                                                                                           | \$1,300,000                    | 1.50%        | 20         |                      |                                   |                                   | 6/3/2013 ●                   | Fix it First                       |
| 6    | 150   | Kodiak ♦              | AK2250011 (6,130)                    | Monashka Pumphouse Upgrade                                     | Replace the existing Monashka outdated deteriorating pumphouse installed in the mid-1970's with a new pumphouse.                                                                                                       | \$6,000,000                    | 1.50%        | 20         |                      | \$6,000,000                       | ENG-BC                            | 4/14/2014                    | Fix it First                       |
| 7    | 121   | Anchorage             | AK2213001 (291,826)                  | ARRC Yard 12" Water Rehabilitation ■ <sup>2</sup>              | Replace a deteriorating 12-inch cast iron pipe on the north side of ARRC's yard that is a primary distribution main to portions of the ship creek and port area.                                                       | \$2,700,000                    | 1.50%        | 20         |                      |                                   |                                   | 5/1/2014                     | Fix it First                       |
| 8    | 121   | Anchorage             | AK2213001 (291,826)                  | East Bluff Water Rehabilitation, Ph II ■ <sup>2</sup>          | Remove/upgrade the last of the known deteriorating woodstave pipe in the AWWU Water Service Area.                                                                                                                      | \$1,450,000                    | 1.50%        | 20         |                      |                                   |                                   | 6/2/2014                     | Fix it First                       |
| 9    | 116   | Anchorage             | AK2213001 (291,826)                  | San Roberto-Klevin To Hoyt Water Rehabilitation ■ <sup>2</sup> | Rehabilitation or replacement of approximately 700ft of 6" deteriorating cast iron water main within San Roberto Street from Klevin Street to Hoyt Street.                                                             | \$900,000                      | 1.50%        | 20         |                      |                                   |                                   | 6/2/2014                     | Fix it First                       |
| 10   | 150   | Homer ♦               | AK2240456 (5,003)                    | East Hill Water Main/ A-Frame Tank Improvement <sup>3</sup>    | Design and construct improvements that will increase water storage; improve water system distribution; improve drinking water quality/public health; and improve treatment plant and water transmission effectiveness. | \$4,800,000                    | 1.50%        | 20         |                      | \$4,800,000                       | ENG-BC                            | 6/1/2015                     | Fix it First                       |

♦ Disadvantage Community

■ Equivalency Project

● Extra 50 points for construction start by July 15, 2013

Total Requested Amount: **\$22,054,450**

Total Subsidized Amount<sup>3</sup>: **\$1,684,200**

Total Equivalency Amount: **\$ 8,680,150**

Total Green Amount: **\$15,081,450**

<sup>1</sup> Subsidy funding for the Homer - Replace Allen Road AC Pipe project is limited to available subsidy funds.

<sup>2</sup> Anchorage - ARRC Yard 12" Water, East Bluff Water, and San Roberto-Klevin To Hoyt Water Rehabilitation projects were bypassed to the priority list to meet minimum equivalency requirements.

<sup>3</sup> Full project funding of the Homer - East Hill Water Main/ A-Frame Tank Improvement project will be dependent upon remaining available loan funds. The Department will negotiate with Homer to provide additional funds as they become available later in the year.

<sup>4</sup> Total available project loan funding and subsidy under this IUP is \$18,416,583 and \$1,684,200, respectively.

<sup>5</sup> Criteria for being eligible for a loan subsidy may be referenced on page 9 under the narrative section of the IUP.

<sup>6</sup> Projects which demonstrate adequate criteria for meeting a Green project component will be eligible to receive an additional 25 points.

<sup>7</sup> Green Project Reserve Category Type: GIF - Green Infrastructure, WTR - Water Efficiency, ENG - Energy Efficiency & EIN - Environmentally Innovative. Green Project Justification Type: BC - Business Case / CAT - Categorical.

<sup>8</sup> Prior to funding any project shown to have a funding subsidy for Green, a Business Case for project Green eligibility must be found justified.

<sup>9</sup> Sustainability Policy - "Fix it First" - fix existing critical infrastructure; "Improve TFM" - Improve technical, financial and managerial capacity of the system; and, "Planning" - planning and development of alternative projects that reflect the full life cycle cost of infrastructure.

**ALASKA DRINKING WATER FUND  
Funding Priority Planning List  
Fiscal Year 2014**

| Rank | Score | Community Or System         | Public Water System ID# (Population) | Project Title                                   | Project Description                                                                                                                                                                                                             | Assistance Amount <sup>1</sup> | Finance Rate | Term (Yrs) | Subsidy <sup>2</sup> | Green Project Amount <sup>3</sup> | Green Project Type, <sup>4,5</sup> | Estimated Construction Start | Sustainability Policy <sup>6</sup> |
|------|-------|-----------------------------|--------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------|------------|----------------------|-----------------------------------|------------------------------------|------------------------------|------------------------------------|
| 11   | 146   | Ketchikan Gateway Borough ♦ | AK2120323 (13,477)                   | South Tongass Water Improvements Main Extension | Extend 2.7 miles of water line from Shoup Street to Forest Park, along South Tongass Highway that will enable residents to convert from private water cisterns to a public water system.                                        | \$1,855,303                    | 1.50%        | 20         |                      | \$1,855,303                       | ENG-BC                             | 9/4/2013 ●                   | Improve TFM                        |
| 12   | 146   | Sitka                       | AK2130075 (8,881)                    | Jeff Davis Street Water Main Replacement        | Replace aging undersized deteriorating pipe with new larger diameter 16" ductile iron or HDPE water main.                                                                                                                       | \$812,000                      | 1.50%        | 20         |                      | \$812,000                         | WTR-BC                             | 5/1/2014                     | Fix it First                       |
| 13   | 146   | Sitka                       | AK2130075 (8,881)                    | Monastery & Baranof Water - SMC to DeGroff      | Replacement of the existing old deteriorating cast iron water mains within Monastery and Baranof Streets between Sawmill Creek Road (SMC) and DeGroff Street.                                                                   | \$497,000                      | 1.50%        | 20         |                      | \$497,000                         | WTR-BC                             | 5/1/2014                     | Fix it First                       |
| 14   | 143   | Skagway                     | AK2110601 (968)                      | Water Well #4                                   | Design and installation of a new drinking water pump station to ensure adequate supply during high usage demands.                                                                                                               | \$262,909                      | 1.50%        | 20         |                      | \$262,909                         | ENG-BC                             | 6/1/2013 ●                   | Improve TFM                        |
| 15   | 141   | Soldotna ♦                  | AK2241054 (4,163)                    | Reconstruct failed water reservoir              | Re-construct a 1.0MG reservoir in an alternative location due to a structural roof failure.                                                                                                                                     | \$3,000,000                    | 1.50%        | 20         |                      | \$100,000                         | ENG-BC                             | 8/1/2013                     | Fix it First                       |
| 16   | 141   | Nome ♦                      | AK2340010 (3,598)                    | East Nome Water Replacement                     | Replace failed and failing direct buried "Sciacore" water piping that was installed in the 1980s.                                                                                                                               | \$1,000,000                    | 1.50%        | 20         |                      | \$1,000,000                       | WTR-BC                             | 3/1/2014                     | Fix it First                       |
| 17   | 141   | Craig ♦                     | AK2120193 (1,201)                    | Water Main Replacement Project                  | Replace approximately eight miles of deteriorating raw water and treated water distribution lines.                                                                                                                              | \$3,150,000                    | 1.50%        | 20         |                      | \$3,150,000                       | WTR-BC                             | 3/17/2014                    | Fix it First                       |
| 18   | 141   | Petersburg                  | AK2130148 (2,948)                    | Water Upgrades Phase 2                          | Upgrade aging failing asbestos cement water lines to reduce treated water loss and cross connection potential in the distribution system.                                                                                       | \$489,825                      | 1.50%        | 20         |                      | \$489,825                         | WTR-CAT                            | 5/1/2014                     | Fix it First                       |
| 19   | 125   | Homer ♦                     | AK2240456 (5,003)                    | Homer Source Water Development                  | To ensure an adequate supply of water in case of failure of the City's current water source, a study and construction of a new drinking water source will be made.                                                              | \$13,650,000                   | 1.50%        | 20         |                      |                                   |                                    | 7/8/2013 ●                   | Improve TFM                        |
| 20   | 121   | Golden Heart Utilities ♦    | AK2310730 (31,535)                   | WWTP Water Main Extension                       | Expand water distribution system from the corner of Peger and Van Horn Road to the Fairbanks Waste Water Treatment Facility. The project will provide a more reliable supply of water to the treatment facility.                | \$1,312,500                    | 1.50%        | 20         |                      |                                   |                                    | 5/30/2013 ●                  | Fix it First                       |
| 21   | 121   | Ketchikan ♦                 | AK2120323 (8,050)                    | Schoenbar Road Water Main Replacement           | Replace deteriorating water lines by installing 1,119-lineal feet of 16" HDPE main, Schoenbar Trail intersection to Valley Forge Road; installing 200-lineal feet of 4"-10" HDPE mains in the project area; and other upgrades. | \$2,188,648                    | 1.50%        | 20         |                      |                                   |                                    | 1/1/2014                     | Fix it First                       |
| 22   | 121   | Ketchikan ♦                 | AK2120323 (8,050)                    | Chatham Avenue Water Main Replacement           | Replace deteriorating water infrastructure by installing 491-lineal feet of 8" HDPE water mains, (2) fire hydrants, and (14) services installed to the edge of the right-of-way, in approximately 540 feet of roadway.          | \$906,706                      | 1.50%        | 20         |                      |                                   |                                    | 1/1/2014                     | Fix it First                       |
| 23   | 116   | Anchorage                   | AK2213001 (291,826)                  | 22nd Ave.-Wayne-Illian Water Rehabilitation ■   | This project will rehabilitation or replace approximately 1150-feet of 6-inch cast iron water main that was originally installed in 1970.                                                                                       | \$1,500,000                    | 1.50%        | 20         |                      |                                   |                                    | 6/2/2014                     | Fix it First                       |

♦ Disadvantage Community

Total Requested Amount: **\$ 30,624,891**

■ Equivalency Project

Total Subsidized Amount<sup>3</sup>: **\$ -**

● Extra 50 points for construction start by July 15, 2013

Total Priority and Planning Amount: **\$ 52,679,341**

Total Green Amount: **\$ 8,167,037**

<sup>1</sup> Total available project loan funding and subsidy under this IUP is \$25,086,976 and \$1,705,440, respectively.

<sup>2</sup> Criteria for being eligible for a loan subsidy may be referenced on page 9 under the narrative section of the IUP.

<sup>3</sup> Projects which demonstrate adequate criteria for meeting a Green project component will be eligible to receive an additional 25 points.

<sup>4</sup> Green Project Reserve Category Type: GIF - Green Infrastructure, WTR - Water Efficiency, ENG - Energy Efficiency & EIN - Environmentally Innovative. Green Project Justification Type: BC - Business Case / CAT - Categorical.

<sup>5</sup> Prior to funding any project shown to have a funding subsidy for Green, a Business Case for project Green eligibility must be found justified.

<sup>6</sup> Sustainability Policy - "Fix it First" - fix existing critical infrastructure; "Improve TFM" - improve technical, financial and managerial capacity of the system; and, "Planning" - planning and development of alternative

**ALASKA DRINKING WATER FUND  
Funding Priority Planning List (Continued)  
Fiscal Year 2014**

| Rank | Score | Community Or System             | Public Water System ID# (Population) | Project Title                                         | Project Description                                                                                                                                                                                                                 | Assistance Amount <sup>1</sup> | Finance Rate | Term (Yrs) | Subsidy <sup>2</sup> | Green Project Amount <sup>3</sup> | Green Project Type <sup>4,5</sup> | Estimated Construction Start | Sustainability Policy <sup>6</sup> |
|------|-------|---------------------------------|--------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------|------------|----------------------|-----------------------------------|-----------------------------------|------------------------------|------------------------------------|
| 24   | 116   | Anchorage                       | AK2213001 (291,826)                  | Wesleyan Dr-Checkmate to Queen Water Rehabilitation ■ | Rehabilitate or replace approximately 2100 feet of 6-inch diameter deteriorating cast iron pipe that has had a significant history of breaks and emergency repairs.                                                                 | \$550,000                      | 1.50%        | 20         |                      |                                   |                                   | 5/1/2014                     | Fix it First                       |
| 25   | 116   | Wrangell ◆                      | AK2120143 (2,369)                    | Water Treatment Plant Pilot Study                     | A pilot study to identify the most appropriate water treatment system for the water source. The current system is creating a potential health risk and added operational and maintenance costs to the Borough's budget.             | \$142,020                      | 1.50%        | 20         |                      | \$142,020                         | WTR-BC                            | 9/30/2013                    | Improve TFM                        |
| 26   | 116   | Golden Heart Utilities ◆        | AK2310730 (31,535)                   | Water Main Reconfiguration                            | Add or replace approximately 3500 LF of pipe by the hospital to avoid severe pressure fluctuations in the connecting water mains.                                                                                                   | \$800,000                      | 1.50%        | 20         |                      |                                   |                                   | 4/15/2014                    | Fix it First                       |
| 27   | 101   | Ketchikan Gateway Borough ◆     | AK2120323 (13,477)                   | South Tongass Water Improvements Phase VI             | Construct a booster station, water tank and pressure reducing vault that will provide increased storage and improved water pressure throughout the system for Mt. Point, Ravenwood and Herring Cove.                                | \$1,569,300                    | 1.50%        | 20         |                      | \$1,569,300                       | ENG-BC                            | 9/4/2013                     | Improve TFM                        |
| 28   | 101   | Sitka                           | AK2130075 (8,881)                    | Starrigavan Valley Groundwater Well Development       | Development of an alternate/emergency water source will help ensure water service to the community.                                                                                                                                 | \$5,000,000                    | 1.50%        | 20         |                      | \$5,000,000                       | WTR-BC                            | 5/1/2014                     | Improve TFM                        |
| 29   | 101   | Golden Heart Utilities ◆        | AK2310730 (31,535)                   | Valve Replacement Project Phase 2 of 3                | Continuation of a valve replacement project to repair or replace failing or failed water main valves throughout the GHU system.                                                                                                     | \$400,000                      | 1.50%        | 20         |                      |                                   |                                   | 5/19/2014                    | Fix it First                       |
| 30   | 91    | College Utilities Corporation ◆ | AK2310900 (26,500)                   | Chena Marina                                          | Expand the current water distribution system to provide potable water to approximately 217 residential lots in the Chena Marina area.                                                                                               | \$2,500,000                    | 1.50%        | 20         |                      |                                   |                                   | 5/27/2014                    | Fix it First                       |
| 31   | 76    | Craig ◆                         | AK2120193 (1,201)                    | Water Main Extension to City Subdivision              | Extend municipal water distribution mains into the Salmonberry Subdivision and the Tanner Crab Court Subdivision.                                                                                                                   | \$125,000                      | 1.50%        | 20         |                      |                                   |                                   | 7/8/2013 ●                   | N/A                                |
| 32   | 76    | Anchorage                       | AK2213001 (291,826)                  | Ship Creek Water Treatment Facility ■                 | Removal and replacement of aged equipment and the installation of new instrumentation and controls systems that are at the end of the equipment's service life.                                                                     | \$4,000,000                    | 1.50%        | 20         |                      |                                   |                                   | 1/6/2014                     | Improve TFM                        |
| 33   | 76    | Anchorage                       | AK2213001 (291,826)                  | Northwood Well Transmission Main ■                    | Extend transmission main from the upgraded North Woods Well site to the Homestead Vault on the Eklutna Transmission main to provide a more reliable water supply.                                                                   | \$3,000,000                    | 1.50%        | 20         |                      |                                   |                                   | 5/1/2014                     | Improve TFM                        |
| 34   | 71    | Anchorage                       | AK2213001 (291,826)                  | Reservoir 3 & 4 Circulation Line - Water ■            | Provide yard piping and automated valves to provide Eklutna water directly to and through reservoirs 3 and 4 such that reservoir cycling water levels by 20 feet no longer needs to occur.                                          | \$1,000,000                    | 1.50%        | 20         |                      |                                   |                                   | 5/1/2014                     | Improve TFM                        |
| 35   | 71    | Anchorage                       | AK2213001 (291,826)                  | West Airpark Water Extension ■                        | Extend transmission/distribution mains and constructing possible interties in the vicinity of West Airpark at the Anchorage International Airport (ANC). The project will help eliminate dead end/single fed lines through looping. | \$4,500,000                    | 1.50%        | 20         |                      |                                   |                                   | 5/4/2015                     | Improve TFM                        |

◆ Disadvantage Community

Total Requested Amount: **\$54,211,211**

■ Equivalency Project

Total Subsidized Amount<sup>3</sup>:

● Extra 50 points for construction start by July 15, 2013

Total Priority and Planning Amount: **\$76,265,661**

Total Green Amount: **\$14,878,357**

<sup>1</sup> Total available project loan funding and subsidy under this IUP is \$25,086,976 and \$1,705,440, respectively.

Total Green Priority and Planning Amount: **\$29,959,807**

<sup>2</sup> Criteria for being eligible for a loan subsidy may be referenced on page 9 under the narrative section of the IUP.

<sup>3</sup> Projects which demonstrate adequate criteria for meeting a Green project component will be eligible to receive an additional 25 points.

<sup>4</sup> Green Project Reserve Category Type: GIF - Green Infrastructure, WTR - Water Efficiency, ENG - Energy Efficiency & EIN - Environmentally Innovative. Green Project Justification Type: BC - Business Case / CAT - Categorical.

<sup>5</sup> Prior to funding any project shown to have a funding subsidy for Green, a Business Case for project Green eligibility must be found justified.

<sup>6</sup> Sustainability Policy - "Fix it First" - fix existing critical infrastructure; "Improve TFM" - improve technical, financial and managerial capacity of the system; and, "Planning" - planning and development of alternative



February 25, 2014

Mr. Carlos Jimenez  
Public Facilities Director  
Haines Borough  
PO Box 1209  
Haines, AK 99827

Re: Allen Road Water Design Fee Proposal

Dear Mr. Jimenez:

Thank you for asking us for a fee proposal to prepare plans and specifications for replacing the old asbestos cement water line on Allen Road and on a portion of Comstock Road. Asbestos cement water line is brittle and has not been used for water lines in over 40 years due to concerns about its long term durability. A preliminary review of the Borough's water system indicates that there may be as much as 2,500' of asbestos cement water line in the Allen Road area.

The water line work to replace asbestos cement pipe in the Highland Estates area in Haines last year cost about \$155/foot. If it is assumed the cost of the water line replacement for this project is about the same, the resulting preliminary construction cost estimate is about \$390,000 excluding restoring the road with its current chip seal surface. ADOTPF has estimated that chip sealing the road will cost on the order of \$165,000. So the total estimated construction cost, including ADOTPF chip sealing is about \$555,000

A rough rule of thumb for estimating total project costs at this stage of a project is to estimate 10% of estimated construction cost for design, 10% for inspection, 5% for Borough administration and 25% for contingency. On that basis the estimated total project cost for grant and loan purposes (without the benefit of having prepared a design) would be about \$835,000.

We anticipate the following tasks are necessary to prepare bid ready documents for this project:

- Conduct a preliminary site visit of the project to identify design considerations, such as maintaining the existing water line during construction, sewer crossings, road condition, culverts, construction site issues, collecting as-built water line records etc.;
- Prepare Alaska Department of Environmental Conservation Plan Review and Waiver Checklists for Water Systems and submit to ADEC for review and approval;
- Prepare Alaska Department of Transportation and Public Facilities (ADOTPF) Utility Right of Way Application for constructing the project in an ADOTPF R.O.W. and incorporate their requirements into the Contract Documents.
- Review Alaska Land Surveying's field survey of the project area. This survey was to locate all existing structures and facilities and to develop a topographic survey that showed elevations of the road and utilities that might interfere with the new sewer line such as culverts, water lines etc.

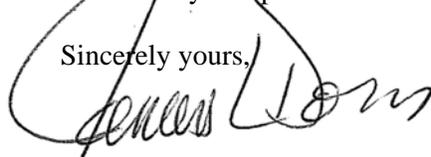
- Prepare AutoCad digital water system plan and profile drawings from the field survey work performed for this project and prepare water system detail sheets;
- Prepare specifications and bidding documents for the water system project including specifications for resurfacing the road with a gravel surface whose profile matches as closely as possible any plans for the future road projects;
- Incorporate the Alaska Department of Environmental Conservation’s EEO, DBE, MBE requirements, Davis Bacon requirements and current Davis Bacon wage rates and the “Buy America” contract language;
- Prepare OSHA required asbestos work plans for the Contractor and include them in the bid documents;
- Prepare Engineer’s Estimate of the probable cost of construction along with a Bid Schedule for the project;
- Printing and duplicating project Contract Documents for distribution to prospective bidders and to Borough staff.
- Provide bidding period services while the project is being advertised for bid, including attending a Pre-Bid Meeting in Haines with the prospective bidders and responding to questions and preparing bid addenda during the bid period as needed.

Our proposed fee for the work described above is \$20,000.

We have not included project inspection and construction management in this budget. Historically Haines has made arrangements for a local resident Haines inspector. If you would like us to provide project inspection and construction management services for this project we would be happy to provide you a fee estimate as the project is advertised for construction bids.

Please let me know if you have any questions about any of the work items or the proposed fee. If the scope of work and fee proposal for the Allen Road Water Design is acceptable, please sign this letter as indicated below and email it to me at [jdorn.carsondorn.com](mailto:jdorn.carsondorn.com) or you can fax it to me at 586-5917 indicating the Borough’s authorization to proceed with the. We appreciate being considered for this important project and look forward to working with Haines to see that it is successfully completed.

Sincerely yours,



James L. Dorn P.E.  
Principal

\_\_\_\_\_  
Haines Borough Representative

\_\_\_\_\_  
Date



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-434

**Assembly Meeting Date:** 3/11/14

| Business Item Description:                                                                        | Attachments:                                                                                      |
|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Subject:<br>Authorize Contract with PND Engineers, Inc. for Harbor Phase One Engineering Services | 1. Resolution 14-03-542<br>2. Fee Proposal from PND Engineers, Inc.<br>3. Cost Breakdown from CFO |
| Originator:<br>Harbormaster (Agenda Bill by Clerk's Office)                                       |                                                                                                   |
| Originating Department:<br>Ports & Harbors                                                        |                                                                                                   |
| Date Submitted:<br>3/6/14                                                                         |                                                                                                   |

**Full Title/Motion:**  
Motion: Adopt Resolution 14-03-542.

**Administrative Recommendation:**

| Fiscal Impact:                       | Amount Budgeted | Appropriation Required |
|--------------------------------------|-----------------|------------------------|
| Expenditure Required<br>\$ 1,719,515 | \$ 1,719,515    | \$ 0                   |

| Comprehensive Plan Consistency Review:           |                                                                                 |
|--------------------------------------------------|---------------------------------------------------------------------------------|
| Comp Plan Policy Nos.:<br>Objective 4B, page 312 | Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

**Summary Statement:**  
The Port and Harbor Advisory Committee recommended having a 35 percent to 100 percent design created for South Portage Cove Harbor Expansion – Concept No. 14 for a partially penetrating wave barrier. The Haines Borough Assembly on 2/25/14 confirmed moving forward with Concept No. 14. PND Engineers, Inc. has provided a quote of \$1,719,515 for phase one engineering services for this project. The PND proposal includes wave barrier geotechnical investigation, environmental dredge investigation, a state and federal environmental permitting and compensatory mitigation plan, and final design through bid phase services for the wave barrier, dredging, gravel parking lot and sewer line relocation. The Borough will fund this portion of the project with two Designated Legislative Grants, for Haines Boat Harbor/Breakwater Improvements and Boat Harbor Upgrades.

| Referral:                   |                        |
|-----------------------------|------------------------|
| Sent to:<br>Recommendation: | Date:<br>Meeting Date: |
| Refer to:                   |                        |

| Assembly Action:                              |                                            |
|-----------------------------------------------|--------------------------------------------|
| Workshop Date(s):<br>Meeting Date(s): 3/11/14 | Public Hearing Date(s):<br>Tabled to Date: |

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with PND Engineers, Inc. for an amount not to exceed \$1,719,515 for phase one engineering services for South Portage Cove Harbor Expansion – Concept No. 14.**

**WHEREAS**, the Port and Harbor Advisory Committee recommended having a 35 percent to 100 percent design created for South Portage Cove Harbor Expansion – Concept No. 14 for a partially penetrating wave barrier; and

**WHEREAS**, the Haines Borough Assembly on 2/25/14 confirmed moving forward with Concept No. 14; and

**WHEREAS**, PND Engineers, Inc. has provided a quote of \$1,719,515 for phase one engineering services for this project; and

**WHEREAS**, the PND proposal includes wave barrier geotechnical investigation, environmental dredge investigation, a state and federal environmental permitting and compensatory mitigation plan, and final design through bid phase services for the wave barrier, dredging, gravel parking lot and sewer line relocation; and

**WHEREAS**, the Borough will fund this portion of the project with two Designated Legislative Grants, for Haines Boat Harbor/Breakwater Improvements and Boat Harbor Upgrades,

**NOW, THEREFORE BE IT RESOLVED**, that the Haines Borough Assembly authorizes the Borough Manager to contract with PND Engineers, Inc. for an amount not to exceed \$1,719,515 for phase one engineering services for South Portage Cove Harbor Expansion – Concept No. 14.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

\_\_\_\_\_  
Michelle L. Webb, Interim Borough Clerk



March 1, 2014

PND 102029

Phil Benner  
Harbormaster  
Haines Borough  
P.O. Box 1209  
Haines, Alaska 99827

Re: South Portage Cove Harbor Expansion - Concept No. 14  
Phase One - Wave Barrier, Dredging, Parking and Relocate Sewer Outfall Line  
Engineering Services Fee Proposal

Dear Mr. Benner:

PND Engineers, Inc. (PND) appreciates the opportunity to provide this fee proposal for additional engineering services on the South Portage Cove Harbor Expansion project. Over the past year, numerous concepts have been presented to the public, Harbor Board and the Assembly to determine a preferred option for moving forward to construction. Based on our discussions last week, we understand the Borough Assembly selected Concept No. 14 as the Preferred Alternative on February 25<sup>th</sup>. The Haines Borough has subsequently requested a fee proposal for site investigations, permitting, design and bid phase engineering services associated with the Phase One scope of improvements envisioned under Concept No. 14.

#### Phase One Scope of Improvements

Concept No. 14 is illustrated in the enclosed drawing entitled *Site Plan Concept 14, dated February 10, 2014*. The scope of improvements under Phase One generally includes the following:

- 700 Ft Permeable Wave Barrier
- Entrance and basin dredging including inner harbor dredging along A & B Floats
- Rough graded parking area to allow upland disposal of a portion of the dredge spoils
- Relocation of existing sewer outfall line to allow dredging and wave barrier construction

Separate budget level cost estimates have been prepared for these improvements and they are enclosed.

#### Scope of Engineering Services

The scope of engineering services under this proposal includes five primary tasks as described below.

**Task 1: Wave Barrier Geotechnical Investigation:** A thorough geotechnical investigation is necessary to determine soil properties for the design and construction of the wave barrier foundation piles. PND is proposing to drill three (3) additional deep geotechnical boreholes well into the dense granular soils underlying the upper granular and clay layers previously investigated. The intent of this investigation is to determine the depth and strength of these dense granular soils for analyzing their ability to resist the pile loads anticipated for the wave barrier. Should bedrock be encountered within this zone, PND will core the rock to assess its quality for subsequent rock anchor designs. All boreholes will be sampled at 5 to 10 foot intervals utilizing the Standard Penetration Test (SPT) to depths up to 100 feet into the dense underlying granular layers. Soils lab testing will be performed by PND at our in-house laboratory.

Geotechnical drilling services will be provided by Denali Drilling, Inc. (DDI) from Anchorage using a Nodwell mounted drill rig. DDI will be subcontracted to PND on a Time and Expenses basis. Drilling will occur over the water from the Landing Craft Poundstone working 24 hour shifts. Each hole is anticipated to take 48 hours to complete. All drilling will be directed and overseen by PND field personnel. DDI will contract with the Poundstone for drilling three offshore marine boreholes from the apron of the landing craft.

The offshore drilling requires calm winds and seas so the work will be scheduled depending on weather forecasts in hope of obtaining the best weather this coming spring. As a contingency for adverse weather, we have budgeted only one day of standby time for weather delays. Additional weather delays will add cost.

**Task 2: Environmental Dredge Investigation –Tier II Chemical Screening:** Concurrent with the geotechnical investigation, PND will collect environmental soil samples in accordance with USEPA and USACE guidelines for Tier II Chemical Screening to determine suitability for offshore and uplands disposal. A Sampling and Analysis Plan (SAP) will be prepared and submitted to the agencies for review prior to field sampling. Development of the SAP and subsequent agency review typically takes about two months and this period will control when the field investigations may begin. We currently anticipate that seventeen (17) sample locations at various depths will be required throughout the harbor. The environmental samples will be collected and catalogued by PND following strict chain of custody procedures. The samples will be shipped to an independent lab for chemical analysis. A Soil Characterization Report (SCR) will be prepared following receipt of the sample results. The SCR will be submitted to the agencies for final review and comment as part of the permit application process.

**Task 3: State and Federal Environmental Permitting & Compensatory Mitigation Plan:** PND will prepare state and federal permit applications for all improvements envisioned under Concept 14, including those in Phase One and all future inner harbor facilities. The agencies will prefer the entire project be permitted under a single application so they fully understand all foreseeable improvement activities for the harbor. Therefore PND will include the moorage floats, approach dock, gangway, sheet pile bulkhead, boat launch and drive down facility along with the wave barrier, dredging, parking area and sewer line relocation. Should layouts change in the future, permit modifications will be prepared.

PND will meet with the agencies prior to and during the application review process to address their questions and concerns. We will prepare purpose and need statements and detailed project descriptions for each of the separate projects. We anticipate that several scientific studies will be required in addition to the Tier II Chemical Screening described under Task 2 and that a Compensatory Mitigation Plan will be necessary to compensate for unavoidable impacts. We have included a contingency line item of \$75,000 for completing third party scientific studies that may be required by the agencies following permit interactions. The scope of the required studies is not fully known at this time.

**Task 4: Final Design through Bid Phase Services – Wave Barrier and Dredging:** PND will prepare three design review submittals (35%, 65% & 95%) followed by stamped bid ready contract documents for the construction of the wave barrier and dredging improvements. Contract documents will be prepared for public solicitation of construction bids. PND will conduct the prebid conference to answer bidder questions and will prepare any required addenda documents. We will review the bids received and prepare formal award recommendations.

**Task 5: Final Design through Bid Phase Services – Gravel Parking Lot and Sewer Line Relocation:** PND will prepare three design review submittals (35%, 65% & 95%) followed by stamped bid ready contract documents for the construction of the gravel parking lot and sewer line relocation. Under Phase One, the parking lot will only be rough graded sufficiently to contain and protect dredge spoils from wave erosion and to provide adequate storm water runoff over crushed aggregate base course surfacing. Future paving, sidewalks, curbs, utilities, landscaping, restrooms, power and lighting improvements are not included under this scope. Task 5 design documents will be combined with those under Task 4 to provide

the Borough with one set of bid and contract documents.

### Fee Proposal Summary

PND proposes to perform Tasks 1, 2 and 3 on a time and expenses (T&E) reimbursable basis utilizing our standard billing rates at time of service. All third party and reimbursable expenses shall include a 10% administrative markup. Enclosed please find detailed fee breakdowns for each proposed T&E work task. The T&E limits shall not be exceeded without prior written authorization from the Haines Borough. PND proposes to complete Tasks 4 and 5 on a fixed fee basis for the scope of construction improvements described herein. For fixed fee tasks, monthly invoices shall be prepared based on a percentage of completion accomplished each month.

| Task | Task Description                                             | Contract Method | Fees \$     |
|------|--------------------------------------------------------------|-----------------|-------------|
| 1    | Wave Barrier Geotechnical Investigation                      | T&E             | \$161,934   |
| 2    | Environmental Dredge Investigation                           | T&E             | \$261,580   |
| 3    | State and Federal Permitting & Compensatory Mitigation Plan  | T&E             | \$156,160   |
| 4    | Final Design & Bid Phase Services – Wave Barrier & Dredging  | FF              | \$991,117   |
| 5    | Final Design & Bid Phase Services – Parking & Sewer Relocate | FF              | \$148,724   |
| All  | Work Listed Above                                            | As Shown        | \$1,719,515 |

PND appreciates the opportunity to provide engineering services on this important harbor project. Thank you for reviewing the proposed scope and professional fees. Please let me know if we have perceived your needs appropriately for this project or if you desire any changes. Following your review and approval, PND will prepare an amendment to our contract for signatures. We are available to commence immediately and look forward to working with the Haines Borough towards the successful completion of this exciting waterfront project.

Sincerely,  
PND Engineers, Inc. | Juneau Office



Dick Somerville, P.E.  
Vice President

Enclosures



**PND Engineers, Inc.**  
**South Portage Cove Harbor Expansion - Entrance Protection & Dredging**  
**Engineering Services Fee Proposal - March 1, 2014**  
**PND Project 102029**

**Scope of Services**

| PND Senior Engineer VII | PND Senior Engineer VI | PND Senior Engineer III | PND Senior Engineer I | PND Senior Land Surveyor | PND Tech V | PND Staff Engineer V | PND Tech IV | Line Item Costs | Task Subtotal Costs |
|-------------------------|------------------------|-------------------------|-----------------------|--------------------------|------------|----------------------|-------------|-----------------|---------------------|
| \$180.00                | \$165.00               | \$130.00                | \$110.00              | \$105.00                 | \$105.00   | \$100.00             | \$90.00     |                 |                     |

| <b>Task 1: Wave Barrier Geotechnical Investigation</b>                  |     |  |     |  |  |     |    |    |          |          |
|-------------------------------------------------------------------------|-----|--|-----|--|--|-----|----|----|----------|----------|
| 1. Project Management, Admin. & Prepare Field Plan                      | 24  |  | 8   |  |  | 8   |    | 8  | \$6,920  |          |
| 2. NWP Permit Authorization                                             | 2   |  |     |  |  | 4   | 16 |    | \$2,380  |          |
| 3. Sewer Outfall Line locates and Borehole Layout                       | 2   |  | 12  |  |  | 12  |    |    | \$3,180  |          |
| 4. Field prep equipment, mobilize & demobilize                          | 4   |  | 24  |  |  | 24  |    | 8  | \$7,080  |          |
| 5. Field Drilling Geotechnical Boreholes Holes - 3 holes @ 48 hrs/ hole | 12  |  | 72  |  |  | 72  |    |    | \$19,080 |          |
| 6. Sample and Laboratory Coordination & Review                          | 8   |  | 16  |  |  | 16  |    |    | \$5,200  |          |
| 7. Prepare Bore Hole Logs                                               | 4   |  | 12  |  |  | 24  |    |    | \$4,800  |          |
| 8. Geotechnical Analysis & Prepare Recommendations                      | 24  |  | 80  |  |  | 8   |    |    | \$15,560 |          |
| 9. Draft Geotechnical Report                                            | 24  |  | 80  |  |  | 40  |    | 12 | \$20,000 |          |
| 10. Client review work session via teleconference                       | 2   |  | 2   |  |  | 2   |    |    | \$830    |          |
| 11. Finalize & Stamp Geotechnical Report                                | 8   |  | 16  |  |  | 8   |    | 4  | \$4,720  | \$89,750 |
| <b>Total Estimated Manhours</b>                                         | 114 |  | 322 |  |  | 218 | 16 | 32 |          |          |

**Estimated Third Party Expenses**

|                                                 |                                                                                    |           |           |
|-------------------------------------------------|------------------------------------------------------------------------------------|-----------|-----------|
| Air fare & freight                              | 2 RT airfares (\$254/ea) + 1 RT airfare (\$954) + misc equipment & sample shipping | \$3,000   |           |
| Room & board                                    | \$200 per person per day                                                           | \$2,800   |           |
| Vehicle rental & fuel                           | \$100/day                                                                          | \$700     |           |
| Drilling Expendables and Laboratory Testing     | PND Lab                                                                            | \$7,500   |           |
| Mobe & Demobe Denali Drilling and LC Poundstone | Crew, drilling equipment and landing craft                                         | \$29,980  |           |
| Drilling Offshore - Double Shift                | 3 holes total, 6 dbl shifts budgeted @ \$19,700/day                                | \$118,200 |           |
| Weather Standby & Other Contingency             | 1 Day Dbl Shift Contingency                                                        | \$19,700  |           |
| Admin. Fee                                      | 10% of Third Party Expenses                                                        | \$18,188  | \$200,068 |

**SUBTOTAL FEE TASK 1 (T&E)**

**\$289,818**

**CREDIT TEST PILE PROGRAM DELETION**

**(\$127,884)**

**TOTAL ESTIMATED FEE TASK 1 (T&E)**

**\$161,934**

**Notes:** Delays beyond those budgeted above shall be compensated additionally on a T&M basis.



**PND Engineers, Inc.**  
**South Portage Cove Harbor Expansion - Entrance Protection & Dredging**  
**Engineering Services Fee Proposal - March 1, 2014**  
**PND Project 102029**

**Scope of Services**

| PND Senior Engineer VII | PND Senior Engineer VI | PND Senior Engineer IV | PND Senior Engineer I | PND Senior Env. Scientist | PND Tech V | PND Staff Engineer V | PND Tech IV | Line Item Costs | Task Subtotal Costs |
|-------------------------|------------------------|------------------------|-----------------------|---------------------------|------------|----------------------|-------------|-----------------|---------------------|
| \$180.00                | \$165.00               | \$140.00               | \$110.00              | \$105.00                  | \$105.00   | \$100.00             | \$90.00     |                 |                     |

| <b>Task 2: Environmental Dredge Investigation - Tier II Chemical Screening</b> |    |  |     |  |     |    |  |    |          |          |
|--------------------------------------------------------------------------------|----|--|-----|--|-----|----|--|----|----------|----------|
| 1. Project Management & Admin.                                                 | 8  |  |     |  |     |    |  | 4  | \$1,800  |          |
| 2. Prepare Draft Sampling & Analysis Plan (DSAP)                               | 4  |  | 40  |  | 40  | 8  |  | 4  | \$11,720 |          |
| 3. Agency Coordination and Prepare Final SAP                                   | 4  |  | 16  |  | 24  | 4  |  | 2  | \$6,080  |          |
| 4. Field prep equipment, mobilize & demobilize                                 | 4  |  |     |  | 12  |    |  | 2  | \$2,160  |          |
| 5. Field Sampling - 17 holes / 14 days                                         | 4  |  | 14  |  | 168 |    |  |    | \$20,320 |          |
| 6. Sample and Laboratory Coordination                                          | 2  |  | 8   |  | 18  |    |  |    | \$3,370  |          |
| 7. Sample Assessment & Summary Tables                                          | 4  |  | 24  |  | 24  |    |  |    | \$6,600  |          |
| 8. Draft Soil Characterization Report (DSCR)                                   | 4  |  | 40  |  | 40  | 8  |  | 8  | \$12,080 |          |
| 9. Submit to Agencies and Address Review Comments                              | 4  |  | 8   |  | 16  | 4  |  | 4  | \$4,300  |          |
| 10. Finalize SCR                                                               | 4  |  | 16  |  | 24  | 4  |  | 4  | \$6,260  | \$74,690 |
| <b>Total Estimated Manhours</b>                                                | 42 |  | 166 |  | 366 | 28 |  | 28 |          |          |

**Estimated Third Party Expenses**

|                                  |                                                         |           |           |
|----------------------------------|---------------------------------------------------------|-----------|-----------|
| Air fare & freight               | 1 RT airfare (\$954) + misc equipment & sample shipping | \$2,000   |           |
| Room & board                     | \$200 per person per day * 15 days                      | \$3,000   |           |
| Vehicle rental & fuel            | \$100/day                                               | \$1,500   |           |
| Drilling Offshore - Single Shift | 17 holes total, 14 shifts budgeted @ \$9,850/day        | \$137,900 |           |
| Laboratory Testing               | Tier II Chemical Screening, 17 holes @ \$1,500/hole     | \$25,500  |           |
| Admin. Fee                       | 10% of Third Party Expenses                             | \$16,990  | \$186,890 |

**TOTAL ESTIMATED FEE TASK 2 (T&E)**

**\$261,580**

**Notes:** Delays due to weather beyond those budgeted above shall be compensated on a T&M basis. Additional testing required by agencies beyond that budgeted above shall be compensated on a T&M basis.



**PND Engineers, Inc.**  
**South Portage Cove Harbor Expansion - Entrance Protection & Dredging**  
**Engineering Services Fee Proposal - March 1, 2014**  
**PND Project 102029**

**Scope of Services**

| PND Senior Engineer VII | PND Senior Engineer VI | PND Senior Engineer IV | PND Senior Land Surveyor | PND Senior Env. Scientist | PND Tech V | PND Staff Engineer V | PND Tech IV | Line Item Costs | Task Subtotal Costs |
|-------------------------|------------------------|------------------------|--------------------------|---------------------------|------------|----------------------|-------------|-----------------|---------------------|
| \$180.00                | \$165.00               | \$140.00               | \$105.00                 | \$105.00                  | \$105.00   | \$100.00             | \$90.00     |                 |                     |

| <b>Task 3: State and Federal Environmental Permitting &amp; Compensatory Mitigation Plan</b> |           |          |           |           |           |           |            |           |          |          |
|----------------------------------------------------------------------------------------------|-----------|----------|-----------|-----------|-----------|-----------|------------|-----------|----------|----------|
| 1. Project Management & Admin.                                                               | 24        |          |           |           |           |           | 8          | 4         | \$5,480  |          |
| 2. Agency Preapplication Meetings & Coordination                                             | 8         |          |           |           |           |           | 32         |           | \$4,640  |          |
| 3. Prepare Application Drawings                                                              | 4         | 8        |           |           |           | 28        | 12         |           | \$6,180  |          |
| 4. Prepare Purpose & Need Statement & Detailed Project Description                           | 8         |          | 12        |           |           |           | 24         | 4         | \$5,880  |          |
| 5. Prepare Practicable Alternatives Analysis                                                 | 12        |          | 12        |           |           | 8         | 40         | 4         | \$9,040  |          |
| 6. Prepare Compensatory Mitigation Plan (CMP)                                                | 12        |          | 16        |           | 60        | 16        | 60         |           | \$18,380 |          |
| 7. Property Research and Prepare Exhibits and Legal Descriptions                             | 8         |          |           | 80        |           | 16        |            |           | \$11,520 |          |
| 8. Prepare State and Federal Permit Applications                                             | 4         |          |           |           |           |           | 24         | 4         | \$3,480  |          |
| 9. Respond to Agency Questions                                                               | 4         |          | 8         |           |           | 8         | 40         | 2         | \$6,860  | \$71,460 |
| <b>Total Estimated Manhours</b>                                                              | <b>84</b> | <b>8</b> | <b>48</b> | <b>80</b> | <b>60</b> | <b>76</b> | <b>240</b> | <b>18</b> |          |          |

**Estimated Third Party Expenses**

|                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                             |          |                  |
|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------------|
| Expenses                                                                                                                                     | Travel, Reproduction & Misc. Consumables                                                                                                                                                                                                                                                                                                                    | \$2,000  |                  |
| Environmental Study Contingency - Third party scientific studies required by agencies to address environmental impacts and CMP requirements. | Functional Habitat Assessment of Project Site & Mitigation Site, Hydraulic & Hydrodynamic Evaluations, Fish & Wildlife Biological Assessments, Wetlands Delineation, Cultural & Historical Resources, Land Use, Public Use, etc. Note: The extent of required studies will not be known until the permit process evolves and agency interaction transpires. | \$75,000 |                  |
| Admin. Fee                                                                                                                                   | 10% of Third Party Expenses                                                                                                                                                                                                                                                                                                                                 | \$7,700  | \$84,700         |
| <b>TOTAL ESTIMATED FEE TASK 3 (T&amp;E)</b>                                                                                                  |                                                                                                                                                                                                                                                                                                                                                             |          | <b>\$156,160</b> |

**Notes:** Uplands contained disposal of dredge spoils is assumed for the parking area and offshore disposal is assumed for the remaining majority of the spoils. Favorable Chemical Screening results are anticipated for all spoils. Further studies may be required at additional cost if toxic levels of contamination are discovered.



**PND ENGINEERS, INC  
STANDARD RATE SCHEDULE  
EFFECTIVE MAY 2013**

|                      |                                |          |
|----------------------|--------------------------------|----------|
| <u>Professional:</u> | Senior Engineer VII            | \$180.00 |
|                      | Senior Engineer VI             | \$165.00 |
|                      | Senior Engineer V              | \$150.00 |
|                      | Senior Engineer IV             | \$140.00 |
|                      | Senior Engineer III            | \$130.00 |
|                      | Senior Engineer II             | \$120.00 |
|                      | Senior Engineer I              | \$110.00 |
|                      | Staff Engineer V               | \$105.00 |
|                      | Staff Engineer IV              | \$100.00 |
|                      | Staff Engineer III             | \$95.00  |
|                      | Staff Engineer II              | \$90.00  |
|                      | Staff Engineer I               | \$85.00  |
|                      | Senior Scientist               | \$110.00 |
|                      | Senior Environmental Scientist | \$105.00 |
|                      | Environmental Scientist        | \$90.00  |
| GIS Specialist       | \$90.00                        |          |
| <u>Surveyors:</u>    | Senior Land Surveyor           | \$105.00 |
|                      | Land Surveyor I                | \$95.00  |
| <u>Technicians:</u>  | Technician VI                  | \$125.00 |
|                      | Technician V                   | \$105.00 |
|                      | Technician IV                  | \$90.00  |
|                      | Technician III                 | \$80.00  |
|                      | Technician II                  | \$70.00  |
|                      | Technician I                   | \$45.00  |
|                      | CAD Designer V                 | \$95.00  |
|                      | CAD Designer IV                | \$85.00  |
|                      | CAD Designer III               | \$70.00  |



## Denali Drilling

September 16, 2013

PND Engineers, Inc.  
Attn: Dick Somerville  
9360 Glacier Highway, Suite 100  
Juneau, AK 99801

Ref: Haines Project

Dear Dick,

Denali Drilling, Inc. is pleased to have this opportunity to offer the following proposal to provide labor and equipment to drill and sample approximately three 150'-200' depth test borings for the above referenced project. This proposal is based on working 24 hours per day in 12 hour shifts. We are offering two different boats in order to pick what best fits the project, however we suggest you do this project next spring.

Mob/Demob – Lump Sum (with Mikko Polley's Poundstone) \$29,980.00  
This lump sum cost includes preparation of equipment, crew travel, transportation for drilling equipment & working barge to job site.

Drilling – (Per 12 Hour Shift - 9,850.00) - 24-hour day \$19,700.00  
Includes three-man drill crew, drilling equipment, expendables, support equipment, barge & crew, fuel, and room & board.

Standby - Includes drill and boat crew- Per Hour \$ 710.00  
Per Twenty-Four Hour Day \$17,040.00

Mob/Demob - Lump Sum (with Trucano tug & barge) \$69,230.00  
Drilling - (Per 12 Hour Shift - 12965.00) - 24-hour day \$25,930.00  
Standby - Includes drill and boat crew - Per Hour \$ 885.00  
Per Twenty-Four Hour Day \$21,240.00

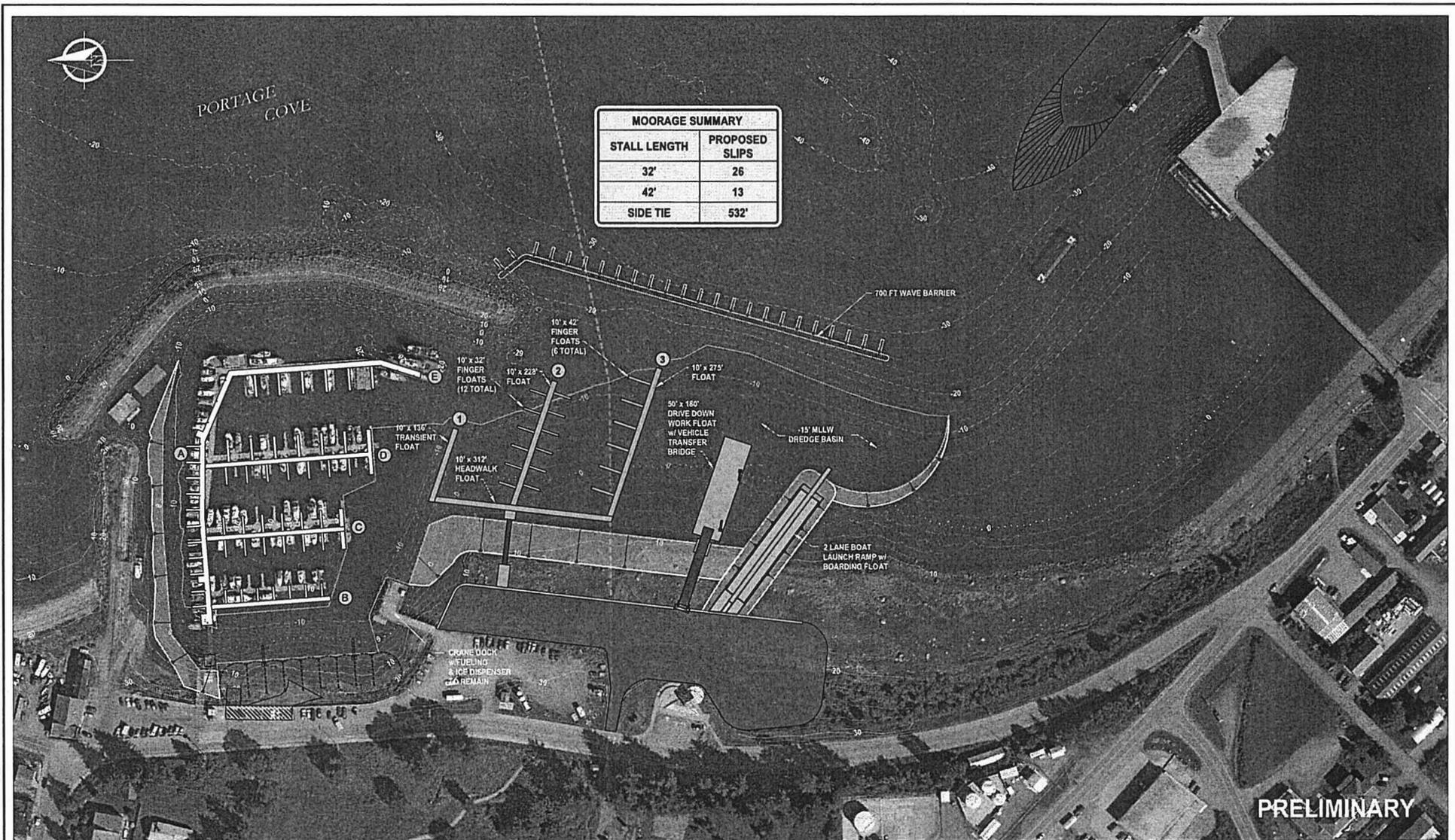
Inclusions are the same as above.

Client is to provide clear access to drill site, utility locates, and all permits required to complete the project. This bid is based on our in-house wage rates with no provision for Davis Bacon wages. If you have any questions regarding this proposal, or if we can be of assistance in any other manner, please do not hesitate to contact our office.

Sincerely,  
DENALI DRILLING, INC.

Hal Ingalls  
CEO

HI:kh

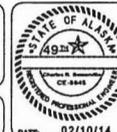


**REVISIONS**

| REV. | DATE | DESCRIPTION | DWN. | CHKD. | APP. |
|------|------|-------------|------|-------|------|
|      |      |             |      |       |      |
|      |      |             |      |       |      |
|      |      |             |      |       |      |
|      |      |             |      |       |      |
|      |      |             |      |       |      |
|      |      |             |      |       |      |
|      |      |             |      |       |      |



9360 Clacker Highway Ste 100  
Juneau, Alaska 99801  
Phone: 907-586-2093  
Fax: 907-586-2099  
www.pnd-inc.com



**HAINES BOROUGH  
SOUTH PORTAGE COVE  
HARBOR EXPANSION**

SHEET TITLE:

**SITE PLAN  
CONCEPT 14**

**5  
SHEET  
OF 5**

DESIGN: CRS    CHECKED: CRS    SCALE: SCALE IN FEET  
DRAWN: P.J.D.    APPROVED: CRS.    0    80    160 FT.

DATE: 02/10/14

PND PROJECT NO.: 102029.01    DWG. FILE:



**SOUTH PORTAGE COVE HARBOR EXPANSION  
PARTIALLY PENETRATING WAVE BARRIER - 700 FEET: CONCEPT 14  
INCLUDING ENTRANCE & BASIN DREDGING  
ENGINEER'S COST ESTIMATE**

February 11, 2014

| Item Description                                                                            | Units | Quantity  | Unit Cost   | Item Cost           |
|---------------------------------------------------------------------------------------------|-------|-----------|-------------|---------------------|
| Furnish Fabricated Barrier Piles                                                            | LB    | 1,925,000 | \$1.20      | \$2,310,000         |
| Install Barrier Piles                                                                       | EA    | 134       | \$2,000     | \$268,000           |
| Furnish Steel Barrier Cap                                                                   | LB    | 180,000   | \$2.25      | \$405,000           |
| Install Steel Barrier Cap                                                                   | LF    | 700       | \$200       | \$140,000           |
| Furnish Bearing Piles                                                                       | LB    | 1,270,000 | \$1.10      | \$1,397,000         |
| Install Bearing Piles                                                                       | EA    | 48        | \$10,000    | \$480,000           |
| Rock Anchor Contingency                                                                     | EA    | 48        | \$30,000    | \$1,440,000         |
| Furnish Bearing Box Caps                                                                    | LB    | 202,000   | \$3.00      | \$606,000           |
| Install on Bearing Piles                                                                    | EA    | 25        | \$6,000     | \$150,000           |
| Connection to Barrier Cap                                                                   | EA    | 25        | \$2,000     | \$50,000            |
| Navigational Aid                                                                            | LS    | 2         | \$10,000    | \$20,000            |
| Misc. Amenities                                                                             | LS    | 1         | \$195,000   | \$195,000           |
| Entrance and Basin Dredging                                                                 | CY    | 141,350   | \$30        | \$4,240,500         |
| Mobilization/Demobilization (10%)                                                           | LS    | All Req'd | \$1,170,150 | \$1,170,150         |
| <b>Construction Subtotal</b>                                                                |       |           |             | <b>\$12,871,650</b> |
| Construction Contingency & Compensatory Mitigation (20%)                                    |       |           |             | \$2,574,330         |
| Tier II Chemical Screening - Environmental Dredge Testing & Geotechnical Investigation (3%) |       |           |             | \$386,150           |
| Environmental Permitting and Design (10%)                                                   |       |           |             | \$1,287,165         |
| Construction Administration and Inspection (10%)                                            |       |           |             | \$1,287,165         |
| 1-year Price Escalation (3%)                                                                |       |           |             | \$552,194           |
| <b>ESTIMATED TOTAL COST</b>                                                                 |       |           |             | <b>\$18,958,653</b> |

Assumptions:

1. All Material Costs FOB Seattle - Freight Included in Mobilization/Demobilization
2. Galvanizing/Spray Metalizing Included in Unit Steel Prices Where Applicable
3. Cost Estimate Does Not Include Relocating Sewer Outfall or Other Harbor Improvements
4. Costs Based on New Bathymetric Survey Data
5. Dredging & Disposal Costs Include Inner Harbor Scope and 1' Overdredge Allowance & Assumes Favorable Chemical Screening Results - No Contamination



HAINES BOROUGH  
SOUTH PORTAGE COVE HARBOR  
GRAVEL PARKING AREA & SEWER LINE RELOCATION  
CONCEPT NO. 14



BUDGET LEVEL ESTIMATE  
MARCH 1, 2014

| Item                                                                    | Item Description                             | Units | Quantity | Unit Cost | Amount             |
|-------------------------------------------------------------------------|----------------------------------------------|-------|----------|-----------|--------------------|
| 1505.1                                                                  | Mobilization                                 | LS    | All Reqd | 8%        | \$146,400          |
| 2201.1                                                                  | Clearing                                     | AC    | 1        | \$10,000  | \$10,000           |
| 2202.1                                                                  | Excavation & Waste                           | CY    | 5,000    | \$12      | \$60,000           |
| 2202.2                                                                  | Place Dredge Material in Base of Parking Pad | CY    | 20,000   | \$8       | \$160,000          |
| 2202.3                                                                  | Shot Rock Borrow                             | CY    | 25,000   | \$25      | \$625,000          |
| 2204.1                                                                  | Base Course, Grading C-1                     | CY    | 2,000    | \$50      | \$100,000          |
| 2205.1                                                                  | Armor Rock                                   | CY    | 4,000    | \$50      | \$200,000          |
| 2501.1                                                                  | Storm Drain System                           | LS    | All Reqd | \$75,000  | \$75,000           |
| 2702.1                                                                  | Construction Surveying                       | LS    | All Reqd | \$40,000  | \$40,000           |
| 2714.1                                                                  | Geotextile Fabric                            | SY    | 12,000   | \$5       | \$60,000           |
| 2801.1                                                                  | Relocate Sewer Outfall Line                  | LS    | All Reqd | \$500,000 | \$500,000          |
| <b>ESTIMATED CONSTRUCTION BID PRICE</b>                                 |                                              |       |          |           | <b>\$1,976,400</b> |
| <b>CONTINGENCY (15%)</b>                                                |                                              |       |          |           | <b>\$296,460</b>   |
| <b>ENVIRONMENTAL PERMITTING &amp; COMPENSATORY MITIGATION</b>           |                                              |       |          |           | <b>\$100,000</b>   |
| <b>FINAL ENGINEERING DESIGN &amp; BID READY CONTRACT DOCUMENTS (8%)</b> |                                              |       |          |           | <b>\$158,112</b>   |
| <b>CONTRACT ADMIN &amp; CONSTRUCTION INSPECTION (8%)</b>                |                                              |       |          |           | <b>\$158,112</b>   |
| <b>TOTAL RECOMMENDED PROJECT BUDGET</b>                                 |                                              |       |          |           | <b>\$2,689,084</b> |

NOTE: This budget has been prepared prior to final engineering design. It should be regarded as a preliminary budget subject to change as the final scope of improvements is determined by the Borough and the site conditions are thoroughly investigated. Costs for the parking area assume a gravel surface. Future paving, sidewalks, curbs, utilities, landscaping, restrooms and lighting improvements are not included in this estimate.

## Proposed Portage Cove Harbor Expansion - Concept 14 Sources & Uses of Funds

| <b>Sources of Funds</b>                                   |                      |
|-----------------------------------------------------------|----------------------|
| Designated Legislative Grant #13-DC-580 Harbor Breakwater | \$ 4,500,000         |
| Designated Legislative Grant #13-GO-005 Harbor Upgrades   | 15,000,000           |
| <b>Total Sources</b>                                      | <b>\$ 19,500,000</b> |

| <b>Uses of Funds</b>                               |           | Amount             |
|----------------------------------------------------|-----------|--------------------|
| Engineering - Design & Permitting                  |           |                    |
| PND 3 Geotech Work Plan                            | \$        | 10,000             |
| PND 4 Geotechnical Investigation                   |           | 678,389            |
| PND 5 Surveys                                      |           | 97,393             |
| PND 6 Entrance Protection Analysis                 |           | 174,630            |
| PND 7 Test Piles & Concept Plan                    |           | 183,319            |
| Concept #14 design & permitting estimate per PND   |           | 2,162,288 *        |
| Subtotal - Engineering Design                      |           | 3,306,019          |
| Engineering - Construction                         |           |                    |
| Estimated Construction Inspection & Administration |           | 1,676,138 *        |
| Construction                                       |           |                    |
| Wave Barrier & Dredging                            |           | 12,871,650 *       |
| Contingency & Compensatory Mitigation              |           | 2,574,330 *        |
| 1-year Price Escalation                            |           | 552,194 *          |
| Moorage Floats & Gravel Parking Area               |           | 4,862,160 *        |
| Contingency                                        |           | 729,324 *          |
| Subtotal - Construction                            |           | 21,589,658         |
| <b>TOTAL USES OF FUNDS</b>                         | <b>\$</b> | <b>26,571,815</b>  |
| <b>PROPOSED UNFUNDED PROJECT AMOUNT</b>            | <b>\$</b> | <b>(7,071,815)</b> |

\*Estimate from February 11, 2014 PND Concept No.14 Cost Estimate



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-435  
**Assembly Meeting Date:** 3/11/14

| Business Item Description:                                                                                          | Attachments:                                                        |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <b>Subject:</b><br>Authorize Contract with PND Engineers, Inc. for Third Avenue Final Design and Bid Phase Services | 1. Resolution 14-03-543<br>2. Fee Proposal from PND Engineers, Inc. |
| <b>Originator:</b><br>Director of Public Facilities (Agenda Bill by Clerk's Office)                                 |                                                                     |
| <b>Originating Department:</b><br>Public Facilities                                                                 |                                                                     |
| <b>Date Submitted:</b><br>3/6/14                                                                                    |                                                                     |

**Full Title/Motion:**  
 Motion: Adopt Resolution 14-03-543.

**Administrative Recommendation:**  
 The Director of Public Facilities recommends adoption of this resolution.

**Fiscal Impact:**

| Expenditure Required | Amount Budgeted | Appropriation Required |
|----------------------|-----------------|------------------------|
| \$ 17,330            | \$ 17,330       | \$ 0                   |

**Comprehensive Plan Consistency Review:**

|                                            |                                                                                 |
|--------------------------------------------|---------------------------------------------------------------------------------|
| Comp Plan Policy Nos.:<br>Goal 4, Page 144 | Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--------------------------------------------|---------------------------------------------------------------------------------|

**Summary Statement:**  
 The Haines Borough Assembly on 2/25/14 confirmed the design of the Third Avenue street improvements project. PND Engineers, Inc. has provided a quote of \$17,330 for Third Avenue street improvements final design and bid phase services. The PND proposal includes final design drawings and contract documents. PND will reproduce stamped, bid-ready contract documents for distribution to prospective bidders, answer bidder questions and prepare addenda documents, conduct a pre-bid conference and a walkthrough of the site, review the bids, and make award recommendations. The Borough will fund this portion of the project with a Designated Legislative Grant for Road Rehabilitation and Maintenance (Phase III).

**Referral:**

|                 |               |
|-----------------|---------------|
| Sent to:        | Date:         |
| Recommendation: | Meeting Date: |
| Refer to:       |               |

**Assembly Action:**

|                          |                         |
|--------------------------|-------------------------|
| Workshop Date(s):        | Public Hearing Date(s): |
| Meeting Date(s): 3/11/14 | Tabled to Date:         |

**A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with PND Engineers, Inc. for an amount not to exceed \$17,330 for Third Avenue street improvements final design and bid phase services.**

**WHEREAS**, the Haines Borough Assembly on 2/25/14 confirmed the design of the Third Avenue street improvements project; and

**WHEREAS**, PND Engineers, Inc. has provided a quote of \$17,330 for Third Avenue street improvements final design and bid phase services; and

**WHEREAS**, the PND proposal includes final design drawings and contract documents; and

**WHEREAS**, PND will reproduce stamped, bid-ready contract documents for distribution to prospective bidders, answer bidder questions and prepare addenda documents, conduct a pre-bid conference and a walkthrough of the site, review the bids, and make award recommendations; and

**WHEREAS**, the Borough will fund this portion of the project with a Designated Legislative Grant for Road Rehabilitation and Maintenance (Phase III),

**NOW, THEREFORE BE IT RESOLVED**, that the Haines Borough Assembly authorizes the Borough Manager to contract with PND Engineers, Inc. for an amount not to exceed \$17,330 for Third Avenue street improvements final design and bid phase services.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Borough Mayor

Attest:

\_\_\_\_\_  
Michelle L. Webb, Interim Borough Clerk



**AMENDMENT  
To  
PROFESSIONAL SERVICES AGREEMENT  
Between  
HAINES BOROUGH  
and  
PND ENGINEERS, INC.  
For Task Order  
HAINES BOROUGH STREET IMPROVEMENTS – 3<sup>RD</sup> AVENUE  
FINAL DESIGN AND BID PHASE SERVICES**

All provisions of the Basic Agreement not specifically changed by this Amendment remain in full force and effect. This Amendment makes the following changes:

**Scope of Services.** Provide additional engineering services in accordance with PND proposal dated February 26, 2014, attached

**Schedule.** Final Design – anticipated by March 15, 2014.  
Bid Phase Services – anticipated through April 15, 2014

**Fee Basis.** Compensation under this Amendment shall be provided on a Time and Expenses basis in accordance with the attached letter and breakdown, dated February 26, 2014. All third party reimbursable expenses shall include a 10% administrative markup.

| <b>PND Project Task</b> | <b>Task Description</b>                    | <b>Add'l \$ Amount This Amendment</b> |
|-------------------------|--------------------------------------------|---------------------------------------|
| <b>072071.04</b>        | <b>Final Design and Bid Phase Services</b> | <b>\$ 17,330</b>                      |

IN WITNESS WHEREOF, the parties have executed this Amendment:

**Approved for Haines Borough:**

By: \_\_\_\_\_  
Title: Julie Cozzi, Interim Borough Manager

**Approved for CONSULTANT:**

By:   
Title: Dick Somerville, P.E., PND Vice President

Date: \_\_\_\_\_

Date: February 26, 2014



ENGINEERS, INC.

February 26, 2014

PND 072071.04

Carlos Jimenez  
Director of Public Works  
Haines Borough  
PO Box 1209  
Haines, Alaska 99827

Subject: Haines Borough Street Improvements  
3<sup>rd</sup> Avenue Final Design and Bid Phase Services Proposal

Dear Mr. Jimenez:

PND is nearly complete with the preparation of final design and contract documents for the Haines Borough Street Improvements – 3<sup>rd</sup> Avenue authorized to date. We understand that upon completion of the final design the Borough would like PND to provide bid phase services as described below. Up to this point, we have been utilizing funds remaining from other Haines Borough Street Improvements projects, which are nearly exhausted. This proposal outlines the anticipated services and fees required to advance the project to the construction phase.

#### **Scope of Engineering Services, Schedule and Estimated T&M Budget**

- 1. Final Design Services:** Following a design review session by the Haines Borough Assembly on February 25, PND will finalize design drawings and contract documents. We anticipate completion of this task within 2 weeks of receiving final comments from the Haines Borough.
- 2. Bid Phase Services:** PND will reproduce the stamped bid ready contract documents for the Borough's distribution to prospective bidders. We will assist the Borough during the bid period by answering bidder questions and preparing addenda documents. We will conduct a prebid conference in Haines and will conduct a walk through of the site with the bidders. We will review the bids received by the Borough and make subsequent award recommendations. We anticipate completion within 4 weeks of completing Task 1.
- 3. Construction Phase Services:** A proposal for construction phase services will be prepared under separate cover following the opening of bids for the construction contract.

#### **Fee Proposal**

PND proposes to provide the described services on a T&M basis under an amendment to our Term Agreement with the Borough. See attached spreadsheet for a breakdown of the fees we anticipate under this amendment. For clarification, all third party reimbursable expenses shall include 10% administrative markup. If you find this proposal acceptable, please review, sign and return one copy of the attached amendment. PND will proceed immediately following receipt of this amendment.

February 26, 2014  
Haines Borough Street Improvements – 3<sup>rd</sup> Avenue  
Page 2 of 2

We appreciate the opportunity to assist the Haines Borough with the 3<sup>rd</sup> Avenue project. Feel free to call me at any time if you have any questions or need further information. We look forward to working with you on this project.

Sincerely,  
PND Engineers, Inc. | Juneau Office

A handwritten signature in blue ink, appearing to read "Dick Somerville".

Dick Somerville, P.E.  
Vice President

**PND Engineers, Inc.**  
**Professional Engineering Services Fee Proposal - February 26, 2014**  
**Haines Borough Street Improvements 3rd Avenue - Final Design and Bid Phase Services**  
**PND Project No. 072071.04**

**Scope of Services**

|                                                                                 | PND Senior Engineer VII             | PND Senior Engineer I | PND Staff Engineer V | PND Staff Engineer IV | PND Staff Engineer III | CAD Designer V | PND Land Surveyor I | PND Tech IV | Line Item Costs | Task Subtotal Costs |
|---------------------------------------------------------------------------------|-------------------------------------|-----------------------|----------------------|-----------------------|------------------------|----------------|---------------------|-------------|-----------------|---------------------|
|                                                                                 | \$180.00                            | \$110.00              | \$105.00             | \$100.00              | \$95.00                | \$95.00        | \$95.00             | \$90.00     |                 |                     |
| <b>ANTICIPATED TASKS</b>                                                        |                                     |                       |                      |                       |                        |                |                     |             |                 |                     |
| 1. Final design review with Haines Borough                                      | 1                                   |                       |                      |                       | 2                      |                |                     |             | \$370           |                     |
| 2. Address final comments and prepare stamped bid ready contract documents      | 16                                  |                       |                      |                       | 60                     | 24             |                     | 4           | \$11,220        |                     |
| 3. Pre-bid conference, respond to bidders' questions, bid award recommendations | 4                                   |                       |                      |                       | 32                     |                |                     |             | \$3,760         | \$15,350            |
| <b>Total Estimated Manhours</b>                                                 | 21                                  |                       |                      |                       | 94                     | 24             |                     | 4           |                 |                     |
| <b>Estimated Third Party Expenses</b>                                           |                                     |                       |                      |                       |                        |                |                     |             |                 |                     |
| Room & board                                                                    | Assume 2 over nights @ \$150/each   |                       |                      |                       |                        |                |                     |             | \$300           |                     |
| Vehicle                                                                         | To be provided by HB                |                       |                      |                       |                        |                |                     |             |                 |                     |
| Travel                                                                          | Airfares & ferry travel allowance   |                       |                      |                       |                        |                |                     |             | \$500           |                     |
| Misc. Expenses                                                                  | Job consumables, reproduction costs |                       |                      |                       |                        |                |                     |             | \$1,000         |                     |
| Admin. Fees                                                                     | 10% of Third Party Invoices         |                       |                      |                       |                        |                |                     |             | \$180           | \$1,980             |
| <b>Total Estimated T&amp;M Fee</b>                                              |                                     |                       |                      |                       |                        |                |                     |             |                 | <b>\$17,330</b>     |



**Haines Borough  
Assembly Agenda Bill**

Agenda Bill No.: 14-432  
Assembly Meeting Date: 3/11/14

| Business Item Description:                                                                                   | Attachments:                                                                                                             |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Subject:<br>Request to Authorize Temporary Addition of Areas to Ski Tour Map for a Special Competition Event | 1. Resolution 14-03-544<br>2. Interim Manager Recommendation to Assembly<br>3. Permittee Requests<br>4. Written Comments |
| Originator:<br>Interim Borough Manager                                                                       |                                                                                                                          |
| Originating Department:<br>Administration                                                                    |                                                                                                                          |
| Date Submitted:<br>2/26/14                                                                                   |                                                                                                                          |

**Full Title/Motion:**  
Motion: Adopt Resolution 14-03-544.

**Administrative Recommendation:**

**Fiscal Impact:**

| Expenditure Required | Amount Budgeted | Appropriation Required |
|----------------------|-----------------|------------------------|
| \$                   | \$              | \$                     |

**Comprehensive Plan Consistency Review:**

|                        |                                                                      |
|------------------------|----------------------------------------------------------------------|
| Comp Plan Policy Nos.: | Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No |
|------------------------|----------------------------------------------------------------------|

**Summary Statement:**

AK Heli and SEABA submitted joint requests asking for the temporary addition of map areas for a special photo/ski competition event to take place between March 21 and April 21, 2014 within Areas 1,2,8,9, and 21 on the 2014 ski tours map. These areas were recommended to be opened by the 2013 Heliskiing Map Committee but were not approved by the assembly for the 2014 season per Resolution 13-07-472. The interim manager recommended the assembly consider approving the addition of only Areas 1, 2, & 21 for the requested time period. Areas 8 & 9 were not recommended.

The map showing the numbered areas is on display at the borough admin building and also available on the borough's website: <http://www.hainesalaska.gov/administration/current-approved-heliskiing-maps>

**Referral:**

|                             |                                         |
|-----------------------------|-----------------------------------------|
| Sent to: Commerce Committee | Date: 2/25/14                           |
| Recommendation: TBD         | Refer to: Meeting Date: 3/11/14, 5:00pm |

**Assembly Action:**

|                          |                         |
|--------------------------|-------------------------|
| Workshop Date(s):        | Public Hearing Date(s): |
| Meeting Date(s): 3/11/14 | Tabled to Date:         |

**A Resolution of the Haines Borough Assembly approving the temporary addition of territory to the Commercial Ski Tour Areas map to allow for a 2014 special ski competition event.**

**WHEREAS**, HBC 5.18.080(G) provides a means for a commercial ski permittee to request the addition of territory to the Haines Borough Approved Commercial Ski Tour Areas map for a special ski competition event involving a photo contest; and

**WHEREAS**, the interim borough manager received a joint request from Alaska Heliskiing and SEABA initially on February 18 followed by requests with more specificity on February 21 and 25, and the request was for the temporary addition of Areas 1 and 2 (Pyramid Harbor Valley and Haska Creek), 8 and 9 (Takhine Ridge), and 21 (Four Winds) to the map for a March 21 through April 21 time period; and

**WHEREAS**, the code-prescribed procedure requires the manager to prepare a written recommendation to the assembly no later than seven days after receipt of the request, and the interim manager submitted the recommendation on February 26; and

**WHEREAS**, the interim manager recommended the assembly consider temporarily adding Areas 1, 2, and 21 for the requested time period but did not recommend Areas 8 and 9 because when the current map was adopted in July 2013 the assembly made Areas 8 and 9 contingent on the consent of the Chilkat Indian Village (CIV) which subsequently declined that consent based on a desire to protect wildlife and cultural resources in those particular areas; and

**WHEREAS**, the code states assembly action on the manager's recommendation is to be by resolution; and

**WHEREAS**, if the assembly approves a temporary addition of territory, the Commercial Ski Tour Areas map shall be amended by designating the additional territory as "temporary" and identifying the dates for which the additional territory is approved; and

**NOW, THEREFORE, BE IT RESOLVED** the Haines Borough Assembly:

Section 1. Approves the temporary addition of the following territory to the Commercial Ski Tour Areas map: Areas 1, 2, and 21; and

Section 2. Limits the temporary addition to the following time period: March 21 through April 21, 2014.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Stephanie Scott, Mayor

Attest:

\_\_\_\_\_  
Michelle L. Webb, Interim Borough Clerk



# Memorandum

## From the Interim Manager

February 26, 2014

To: Mayor and Borough Assembly  
From: Julie Cozzi - Interim Borough Manager  
Re: Manager's Recommendation  
Request for Special Ski Competition Event

On February 18, 2014, I received a request from SEABA and Alaska Heliskiing for a special ski competition event as allowed by HBC 5.18.080(G). In response to my request for clarification and more specificity, amended requests were received on February 21 and February 26. All of these documents are attached.

The applicants believe this contest will provide a marketing boost at a critical time, as the overall lack of snow in Alaska has been making the news and causing clients to look elsewhere. They also suggest that temporarily allowing access to currently closed, but previously open, terrain may generate interest from skiers, photographers, and filmmakers who have visited Haines in the past.

The final amended requests ask for the special event to take place between March 21 and April 21, 2014 within areas 1,2,8,9, and 21 on the 2014 ski tours map. These areas were recommended to be opened by the 2013 Heliskiing Map Committee but were not approved by the assembly for the 2014 season via Resolution 13-07-472. This request asks for temporary additions to the approved Commercial Ski Tour Areas map. Borough code requires the manager to make a written recommendation in response to a request like this, and the assembly may act on that recommendation by resolution. A resolution will come to the assembly as part of the March 11 agenda. On February 25, the assembly assigned this matter to the Commerce Committee for review and recommendation, as well. That meeting has not yet been scheduled.

**Recommendation: I recommend the assembly consider allowing the special ski competition event to take place during the time period requested but be limited to areas 1, 2 and 21 of the 2014 Heliski Map. I do not recommend including areas 8 and 9.**

If the assembly approves the temporary addition of territory, the map would be amended by designating the additional areas as "temporary" and identifying the dates for which the additional territory is approved. Historically, weather conditions allow for heliskiing activity approximately 50-percent of the time; so at most, the special event activities would likely take place only 15 to 20 calendar days of the requested 30-day event period. Locations and dates are monitored through the required bi-weekly activity reports. Skiing in the temporary areas outside of the event dates would be considered a violation subject to fines and suspension or revocation of permits. We would watch this closely.

I believe this event is worth a try given the overall lack of snow and as a way to attract heliskiing clients back to Haines this year.

Note: the current map that shows the subject areas is available in the assembly's Dropbox and is also on the borough's website: [www.hainesalaska.gov/administration/2014-heliskiing-maps](http://www.hainesalaska.gov/administration/2014-heliskiing-maps).

2/25/14

To: Julie Cozzi, Haines Interim Borough Manager  
Re: Proposed Make It Live! Photography Competition

Julie,

Alaska Heliskiing enthusiastically supports the proposed Make It Live! Photography competition proposed by Scott Sundberg and SEABA. Everyone is well aware of the challenges the heliski industry in Haines has faced after the past two seasons, and now we are faced with less-than-ideal weather conditions. Heli operations in other parts of the State, as well as heli operations in Canada continue to grow and refine their marketing skills which is making the overall task of persuading customers to choose Haines more difficult. It would help our own marketing efforts to be able to generate some excitement fueled by the possibility of more varied terrain opened for this proposed contest.

- Referring to the Borough's 2014 Commercial Ski Tour Map, we are interested in opening areas 1,2,8,9,and 21 for the time period of March 21<sup>st</sup> through April 21<sup>st</sup>.
- The photo contest would be open to all heliski clients visiting Haines during the proposed time period.
- The judges of the contest would be one representative from SEABA, one representative from Alaska Heliskiing, and a representative from a sponsor company. Potential sponsors include various ski magazines such as Powder or Ski, or a gear/equipment manufacturer such as Smith or Armada.
- Entrants would be separated between professional photographers and recreational photographers.
- Prizes would include gear provided by sponsors and helicopter time donated by AH and SEABA.

The best part of this contest is that it has the potential to become an annual event, bringing the revenue of more guests to our local economy.

Thanks for your consideration,

Ryan Johnson  
Alaska Heliskiing GM/co-owner

**From:** Sunny Sundberg [mailto:sunny@seaba-heli.com]  
**Sent:** Friday, February 21, 2014 7:16 AM  
**To:** Julie Cozzi; Darsie Culbeck  
**Subject:** special event concept and benefit

More on the Make it Live! competition.

Alaska Heliskiing and SEABA decided together that after the dramatic loss of snow pack in January of 2014, and the horrible exposure that Alaska received on the web concerning Alaska's 3 rd warmest winter on Record,( there were also stories ran in the Washington Post and the New York Times).We had to collectively put something out there that would win the trust, generate inspiration, and fire up the adventure bug in every amateur and professional photographer that we could possibly reach in order to save the season and put Haines back on the map in a positive world light.

Conclusion? Special Event

We are taking it a step further, asking the assembly to open up temporary terrain, for a few reasons.

We are asking for expansion for the following reasons:

1. A special Event with a grand prize generates interest, but for veterans of the Haines heliski and commercial film industry, opening up new terrain, or at least terrain that has not been opened in years, could get some credibility from not only the photographers but from their followers for this effort. This accomplishes a few things for Haines. When ski clients and professional photographers are trying to make a decision of where to go skiing in a "questionable" Alaska, they might choose Haines, over the 6 other destination locations in AK because we have something new to offer them.
2. Not only is the Haines borough offering up a new product so to speak, they are also saying to heliskiers, come to Haines, we want you here, we are open for business. Your saying, "We understand how important our winter industry is to our community, and we are willing to give incentives to help it out, as well as give the clients, the true bread winners of the winter economy, something in return.
3. The January thaw was almost a record, and in some areas of the state between Haines and Girdwood it was. Incredible high temperatures at altitude, nearly 50 degrees at 6,000 feet in the cost range, coupled with extended temperature inversions, and very heavy rainfall, created massive melt throughout the Coast mountains. In Haines, and other coastal communities like Cordova and Valdez, we went from a record December for snowfall to a snow pack that resembles early December. Flight over the terrain likened it to early November on the glaciers around 2500 feet, where extensive crevassing prevents many normal ski runs to be accessible. Outcome; diminished areas of operation that are safe. This included the snow pack in overall. At 2500 feet there is approximately 1.5 meters of snow in protected areas. While this is enough to ski on, it is not enough to bury dangerous features, and create adequate snow bridging in glaciated terrain. It also creates a snow pack that becomes more volatile as it is thin and can create greater temperature gradients

4. Our concern for this season avalanche hazards stem from this scenario. A very hard cold layer that formed after the thaw and very cold temperature plunge in February could not receive new snow very well. Some areas experienced large surface hoar growth, a persistent weak layer in which poor bonding occurs. This layer if not flushed out by cycles of snow, (lots of new snow fall) could persist and lay in wait to be triggered. This is not contiguous across the commercial ski terrain, but could prevent yet another large area to be used by the industry. Our preference for the clients that we do have booked and the clients that may come if word gets out that there is good snow to ski, is to have as many areas to choose from as a safety standard.
5. Another goal of the competition of special event would be to create a more positive and memorable impression on adventure clients that are looking to travel. When you research Haines Heliskiing on Google and other search engines, often times you pull up the fatal accidents from the past few seasons, as well as all the other negativity that is constantly being aired out by the opponents of this industry. We as a community need to fix this impression that reaches all over the world. By having spectacular photographs, short movies, and people sharing experiences being sent over the web and shared with the participants social network, we stand to put a better brighter and more positive face on Haines! We must remember that this is a global market, and at any given point, we can be recognized by the world, it is our choice to make that impression the best!

So I would say it is time to roll out the red carpet, fire up the band and let the world know that we have snow, we are opening terrain to help the industry operate safely and create incentives for clients to choose Haines!

Sunny

--

Scott Sundberg  
GM /Lead Guide  
SEABA LLC  
[www.seaba-heli.com](http://www.seaba-heli.com)  
907 314 0445

**From:** S Diggity [mailto:heliskialaska@gmail.com]  
**Sent:** Tuesday, February 18, 2014 10:06 AM  
**To:** Julie Cozzi  
**Cc:** Sunny Sundberg  
**Subject:** Event

Hello Julie and borough assembly.

Alaska Heliskiing is excited to participate in this event! I have always believed that these areas around 4 winds, talkin and haska creek hold the most amazing ski terrain and the photos and film we used to get in these places hasn't been equalled since.

We are completely in support of opening up some more terrain this season. The lack of snowfall this year and reduction of allowable use area over the years has made the activity less safe because we have lost many of our choices. This condition has resulted in overcrowding the backcountry and created a competitive atmosphere for the available terrain that is left, and that in itself has eroded the quality and safety of the heliskiing experience in Haines. The answer is right before our eyes across an imaginary line of denial and has been a source of sadness and frustration for all of us in the industry for many years.

Please consider and approve this request for a one year access to these previously closed ski areas and I can promise you that Alaska Heliskiing will do everything we can to respect others and we will be forever grateful. Thank you.

In conjunction with both companies, Alaska Heliskiing and SEABA we are going to advertise a special ski competition event in which both amateurs and professional still and motion photographers can use their skills at acquiring the best photo or motion film that highlights Haines Alaska as the best and most scenic place to heliski.

Photos and videos will be judged based on their quality, content, and their exposure to social media platforms. This includes but not limited to Facebook, Twitter, Instagram, Google +, and others.

By opening these areas, photographers and cinematographers will be more likely to participate, as these areas have not been available for years, and it would add incentive to developing a great marketing platform for Haines Alaska, its winter industry, and its world wide web exposure.

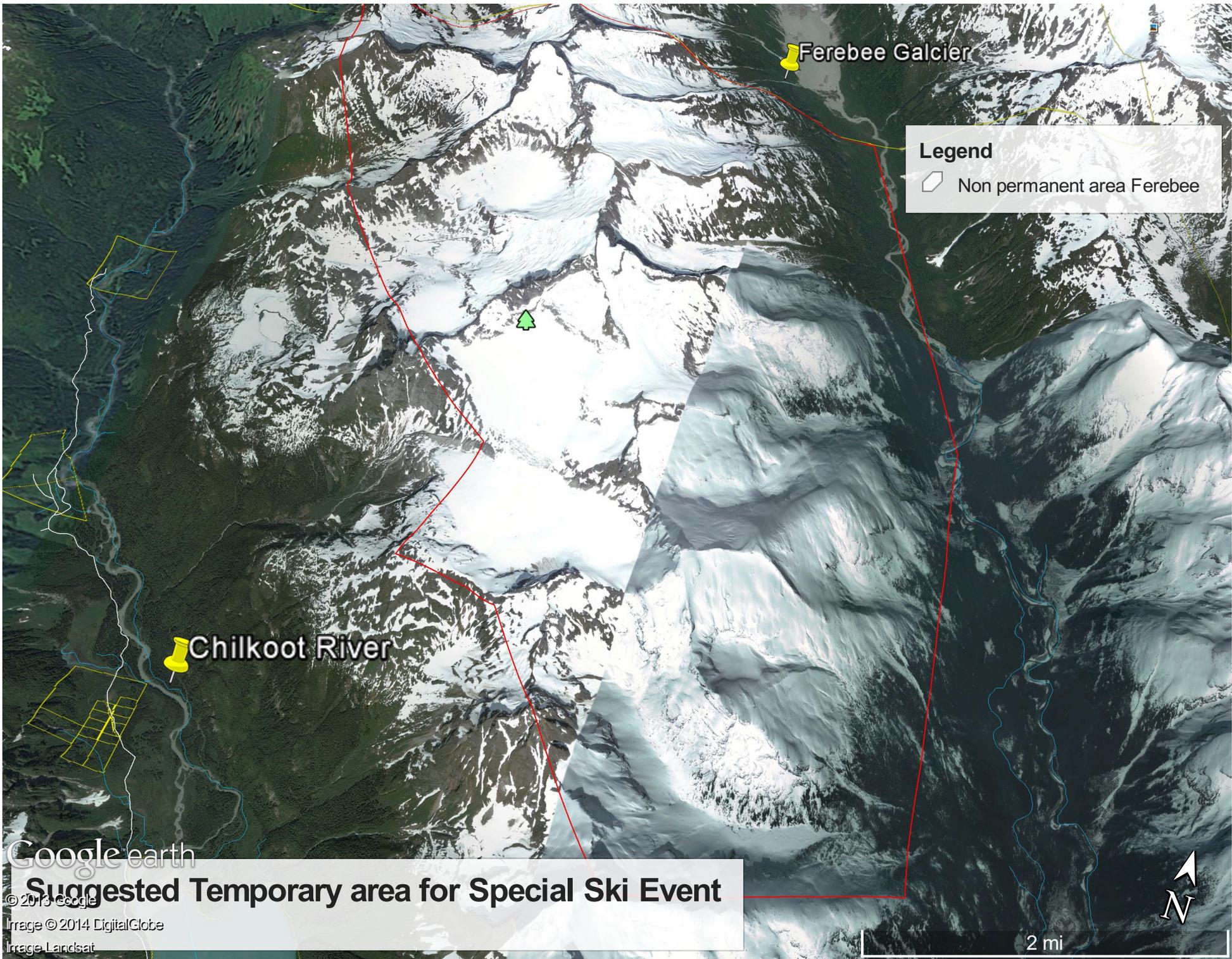
Sean Brownell

**From:** Sunny Sundberg [mailto:sunny@seaba-heli.com]  
**Sent:** Tuesday, February 18, 2014 5:57 PM  
**To:** Michelle Webb  
**Cc:** Julie Cozzi  
**Subject:** Areas to consider for special event.

I want to also add this area. It represents a rural part of the borough and has very little photography or cinematography produced from this area. It is possible that encouraging skiers to visit this area might promote the use of a very rural part of the Haines borough. It will also give assembly members more options when considering this possible temporary area.

--

Scott Sundberg  
GM /Lead Guide  
SEABA LLC  
[www.seaba-heli.com](http://www.seaba-heli.com)  
907 314 0445



Ferebee Galcier

Legend

Non permanent area Ferebee

Chilkoot River

Google earth

Suggested Temporary area for Special Ski Event

© 2013 Google  
Image © 2014 DigitalGlobe  
Image Landsat

2 mi





THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of  
Fish and Game**

DIVISION OF WILDLIFE CONSERVATION  
Southeast Region

802 3rd Street  
P.O. Box 110024  
Juneau, Alaska 99811-0024  
Main: 907.465.4265  
Fax: 907.465.4272

March 4, 2014

Haines Borough  
c/o: Michelle Webb  
Interim Clerk  
P.O. Box 1209  
Haines, Alaska 99827

Haines Borough Assembly:

Thank you for the opportunity to comment on SEABA's proposed expansion of sections 1,2,8,9, and 21 on the heli-skiing map.

Increasing helicopter tourism in the Haines/Skagway area prompted the department to begin research on how mountain goats were being impacted and to identify key summer and winter habitats, estimate reproduction and survival rates, and monitor population composition and abundance. The department has been reluctant to making direct recommendations concerning changes to the heli-skiing map but is providing some specific survey data in this document for the areas under consideration. Research on mountain goats in the Haines area is projected to be complete in 2015. The department supports the recommendation made by interim manager Julie Cozzie to not open areas 8 & 9 on Takhin Ridge based on the request from the Chilkat Indian Village of Klukwan. The department appreciates comments from the affected communities and believes community involvement is imperative in these types of discussions and requests. In addition, the department lacks sufficient data about other species that might be affected by this expansion because no species-specific studies, other than mountain goats, have been conducted. The department will defer to comments from the community about locations of bear (brown and black) dens, as well as whether these locations provide important habitat for wolverine. We encourage the Assembly to consider all species that could potentially be affected by this change.

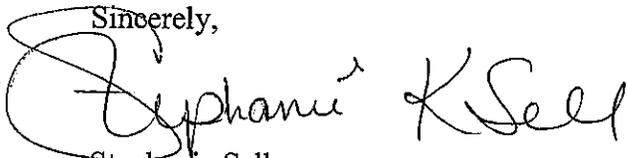
The department conducted aerial surveys in proposed areas 1 (Pyramid Harbor valley), and 2 (Haska Creek) in September of 2013, which resulted in a minimum mountain goat count of 22 animals (areas 1 & 2 combined). Surveys are compositional counts for total number of goats seen and are broken down by number of adults and number of kids observed. Three goats were captured and fitted with GPS collars from the Haska Creek area, which allows wildlife biologists to more accurately estimate mountain goat numbers through sightability models, reproduction, and survival. During the winter mountain goats are physically and nutritionally stressed and demonstrate strong site fidelity to localized areas. Severe winters alone can result in significant population declines due to exhausting energetic reserves, movement impediment due to deep snow, and other events such as avalanches. Mountain goats may incur additional stress due to disturbance at a time when they are already stressed due to winter weather. Mountain goats have a slow reproductive rate, and females do not start breeding until about 4 years of age. Nannies seek out rugged, isolated sites prior to birth but soon join up with other nannies with newborn kids to form nursery groups. Mountain goat kids are typically born in mid-May. The time

period being proposed (March 21-April 21) overlaps with a period when pregnant female goats are in late-term pregnancy and begin moving to nursery locations; additional stress on pregnant females, and other winter-stressed goats during this period should be avoided.

The department conducted an aerial survey in the Four Winds area (proposed area 21) in September of 2013. A total of 68 mountain goats (55 adults and 13 kids) were observed. Three goats have been equipped with GPS collars again to assist with sightability estimates during surveys and to monitor reproduction and survival. Due to the high number of goats observed in the Four Winds area, and the consideration mentioned above for areas 1 and 2, the department encourages the Assembly to retain the current authorized heli-skiing areas and dates.

Thank you again for allowing us to comment on this proposed change.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie K. Sell". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Stephanie Sell  
Assistant Area Management Biologist

Cc: Tim McDonough, ULC AC chair

Thom Ely  
POB 1014  
Haines, AK 99827

March 4, 2014

Haines Borough Assembly  
POB 1209  
Haines, AK 99827

Re: Request for access to closed areas for heli-skiing

Dear Mayor and Assembly,

You should seriously consider the ramifications of the SEABA proposal and Julie Cozzi's recommendation to open the closed areas 1, 2 and 21 for a heli-skiing photo contest. What the industry is proposing to do and the amount of time they are proposing to do it for does not match the definition and allowable use in code. This is a photo contest not a "Special Ski Competition Event."

"Special Ski Competition Event" means a skiing or snowboarding competition that includes daily transportation of the participants by helicopter to and from the site of the competition. (Ord. 10-10-243 § 5; Ord. 05-03-098)

The "Ski Competition" clause in the ordinance was meant for a 1 - 3 day event where professional skiers would be competing in a defined location on extreme terrain, not your average client going for runs all over the map in out-of-bounds areas.

This clause was certainly not intended to circumvent the map and planning process that has been ongoing for many years. Julie's decision to allow a broad interpretation goes against the public process and spirit of compromise that is critical in our small town.

A month long ski competition that is not really a "competition" at all, just a run around the regulations and recently adopted map boundaries in order to ski the areas that they were not granted. These closed areas have no more snow or better conditions than anywhere else that is open.

SEABA refuses to abide by regulations, boundaries, Assembly Resolutions and keeps pushing the issue of access to areas that have been out of bounds for 14 years. We all live here and have a right to quiet and the pursuit of our own forms of recreation on public lands free of harassment by helicopters. No one gets everything they want in life but these guys don't seem to understand that. Our Government does not help by enabling their behavior.

The heli-ski issue needs a long rest and it is up to our Administration, Mayor and Assembly to be leaders and see that it is put to rest. The operators have, as SEABA boasts on their web page, 1200 square miles of ski terrain, 768,000 acres to play in! They were just granted an additional 6300 acres this year. They can have their photo shoot in these new areas. Leave the 4000 acres in out of bounds areas 1, 2 and 21 alone.

The operators are responsible for their own success and wellbeing. Fatalities and the constant push for more, against the wishes of residents, contributes to the bad press. There will be good snow years and bad ones. A last minute underhanded attempt to subvert the public process and cloak it as a marketing opportunity is a sham. Please deny their request.

Sincerely,

Thom Ely

From: Derek Poinsette [mailto:mergus\_ak@yahoo.ca]  
Sent: Tuesday, March 04, 2014 10:50 AM  
To: Stephanie Scott; Julie Cozzi; Michelle Webb  
Subject: Heli Ski Photo Contest Comments

Mayor Stephanie Scott, Manager Julie Cozzi, and Members of the Assembly:

One of our assembly members recently made a statement with regards to why people choose to live in rural areas of the borough, claiming it is so they can do whatever they want without regard for neighbors or the law. I live at Mosquito Lake, and I am certain that the reason most choose to live up here is because it is peaceful and quiet. Freedom from the sorts of property restrictions necessary for the town site is also nice, but to do things that are disturbing to one's neighbors and consistently create conflict and strife within the community, whether by setting off fireworks every night or running helicopter tours from a rural neighborhood, is irresponsible at the least, and downright anti-social at its worst. Except for a few well-known exceptions, those that live up the valley are courteous and considerate of their neighbors and do not act in ways that are deleterious to the general good fellowship within the community.

We have an industry here that conducts its business in ways that are blatantly self-serving, irresponsible, even childish. This is despite every effort made by the rest of the community to allow helicopter ski tours to take place with a minimum of disturbance to wildlife and to the rest of us who live here. I have no problem with heli-skiing in itself, but the way that the industry operates in Haines consistently crosses the line separating simple nuisance from an outright threat to the quality of life here at Mosquito Lake and at other places.

There is no reason for the borough to allow any deviation from the heli-ski areas map. We have an agreed-upon set of rules and boundaries for the industry, and they need to be enforced and consistently applied. Opening Four Winds Mountain to helicopters would greatly impact all of us who live at its feet, and disturb the goat herd on its slopes. That is why it has been excluded from the heli-ski operation areas, and it should remain excluded.

When I moved to Haines six years ago, I was ambivalent about heli-skiing. Now I believe it has a largely negative impact on the community. It is hard to figure why, but the industry seems incapable of conducting itself in a responsible and propitious way.

Sincerely,

Derek Poinsette  
Mosquito Lake  
Box 555  
Haines, AK 99827  
767-5414  
mergus\_ak@yahoo.ca

14 March 2014

Re: Heli-Ski expansion request

To The Haines Assembly Members and Mayor:

The proposed expansion by SEBA for additional Heli-ski areas to be opened is not a good idea for several reasons.

First, there is sensitive wildlife issues in most of the additional areas requested. Mountain Goats and denning Brown Bears are very sensitive to disturbance especially at this time of year. Alaska Dept. of Fish and Game has stated and re-stated this time and again.

Secondly, SEBA has not demonstrated that it can and will abide by Borough Code regarding permit regulations. Let them prove themselves in the area they are currently approved to operate in.

Third, a month-long photo contest seems like an attempt to circumvent Borough Code that the map committee and community members put much time and effort into. A month for a “special event” seems excessive. They have already suggested making this an annual event – how “special” is that?!

I applaud the Borough Assembly for respecting Klukwan/Chilkat Indian Village wishes to keep the area near Klukwan closed. However, why has the Assembly disregarded the views of Borough residents who live in other areas of Haines? Why are we disenfranchised?

In my opinion the Heli-ski industry in Haines repeatedly violated existing Borough or Federal regulation, has been unwilling to support a GPS protocol that would eliminate all doubt as to their compliance and has not give due consideration to community concerns, as evidenced by their proposal to operate adjacent to a residential area against the wishes of pre-existing uses. Yet, the Borough Assembly inexplicably, continues to cater to their requests. Why?

The rest of the community has been extremely patient. We are folks who live here year round and contribute to the community in endless ways. Sometimes it feels like this is forgotten in the name of a few dollars. Maybe it is time to stop wasting the residents’ time and Borough funds on micro-managing this private enterprise.

Please, consider the whole of our community and our valuable resources.

Sincerely,  
Patricia Kermoian

## Michelle Webb

---

**From:** Kathleen Menke [ci@akmk.com]  
**Sent:** Tuesday, March 04, 2014 10:41 AM  
**To:** George Campbell; Debra Schnabel; JoAnn Waterman; Stephanie Scott; Dave Berry; Jerry Lapp; Diana Lapham  
**Cc:** Michelle Webb  
**Subject:** Not a Good Time, Not a Good Way, Inappropriate Areas for Heliski-Boundary Expansion

Dear Haines Mayor & Assembly Members:

Haines is a special place and heliskiing is an interesting industry that the community has been willing to support within limits (time limits and boundary limits, permit-compliance limits, and safety limits).

### **2014 is a bad time to expand heliskiing boundaries.**

Recent fatalities and boundary permit violations have basically put the heliskiing industry in Haines in a bad light. The industry itself needs to restore trust on safety measures and demonstrate that it can and will comply with boundary permit regulations prior to any requests for further boundary expansions. The industry itself has admitted that safety issues are a particular problem in 2014 due to low snowfall. It is quite possible that expanding boundaries into untested areas during a high-risk year due to poor snow conditions may lead to further risks, not less risks, in terms of safety. This is a liability risk the community and the industry should not be taking.

### **Making stuff up to skirt borough code is the wrong way to expand heliskiing boundaries.**

A "photo contest" is not a "skiing competition". It's merely a bogus attempt to skirt regulations and borough code with regard to heliskiing regulations. Professional photographers do not participate in "photo contests". Photo contests are generally publishing industry scams designed to get free photography for a professionals work for amateur photographers that don't know any better. Professional photographers know this and do not participate in photo contests. When and if a healthy, consistent, safe, and compliant with regulations heliskiing industry is established in Haines, skiers will come to Haines and so will positive PR by professional photographers and writers and a sustainable business model.

A month long time period is not by any means a "special event". Nor is it apparently intended to be "temporary", as SEABA documents indicate they desire such classification to be "an annual event". The current massive proposed expansion of heliskiing boundaries, based on a "photo contest" is illegal according to Borough Code. It is reckless and irresponsible for the Acting Borough Manager to recommend adoption of any, less alone, massive heliskiing boundary expansions under the guise of a month-long "photo contest".

Hopefully the Assembly itself will better consider Borough Code and community input (past and present) as well as liability and safety issues.

### **Addressing Specific Areas for Proposed Expansion:**

#### **Areas 1 & 2 (between the airport and Rainbow Glacier).**

This is a sensitive residential area and such expansion will contribute to disruptive noise for both people and wildlife.

A better "special event" for this area in spring is the annual spring bird migration that takes place in April and May.

This is a peaceful, time of year for residents and an important resting area for migrating birds.

Like the "Bald Eagle Festival", Haines could easily sponsor a "Spring Bird Migration Festival". Literally thousands of birds use this area as resting grounds in spring. Helicopter noise conflicts with the peaceful, quiet nature of areas 1 & 2 and the quality of life of those living nearby.

snow geese within this area



American Golden Plover within this area



**Area 21 is a sensitive mountain goat area.**

**The area between Chilkoot and Ferebee Rivers is a known bear-denning area.**

Apparently the other areas proposed for expansion have been opposed by Klukwan/Chilkat Indian Village.

**In Conclusion:**

There are multiple reasons to deny SEABA's and Alaska Heliskiing's requests at this time (2014 is the wrong time for safety/liability/permit non-compliance) and in this way (photo contest is bogus) and in the specific areas requested (none are appropriate).

Regards, Kathleen Menke

CHILKAT INDIAN VILLAGE



"Yee gu.aa yax x'wan."

**An Indian Reorganization Act Village  
Under Act of Congress June 15<sup>th</sup>, 1935**  
32 Chilkat Ave. Klukwan, Alaska 99827  
HC60 Box 2207 Haines, Alaska 99827  
Phone: 907-767-5505  
Fax: 907-767-5518  
klukwan@chilkat-nsn.gov

Julie Cozzi, Interim Borough Manager  
Haines Borough  
P. O. Box 1209  
Haines, AK 99827  
March 4, 2014

Dear Ms. Cozzi,

The Chilkat Indian Village Tribal Council reviewed your recommendations to the Borough Assembly for allowing temporary additions to the approved Commercial Ski Tour Areas map. Your recommendation came in response to SEABA and Alaska Heliskiing request for additional ski areas to hold a special ski competition event March 21 – April 21, 2014. Your recommendation is to allow the ski event, but that it be limited to areas 1, 2, and 21; specifically noting to not include areas 8 & 9.

We appreciate the recommendation to continue to recognize the village's request to keep the Takhin Ridge off limits to heliskiing activities, except for the Mt Jonathon Ward area. However, we are concerned by your recommendations to "temporarily" open areas previously not approved by the Assembly via Resolution 13-07-472.

The Chilkat Valley is of significant historic, cultural and scenic value to Klukwan. We request you consider the significant impact on the goat and bear activity that will occur during the time period proposed for the proposed ski event. Bears and goats start to be active that time of year --with bears leaving their dens, and goats moving to lower elevations. The village considers these areas as critical habitat area of the mountain goat and bear and that helicopters and crowds associated with a ski event will negatively impact these animals. Our ancestors taught us to have respect for the animals and our natural environment as they are crucial to our survival as Tlingits (human beings). The Brown Bear is a significant creature within our oral history, especially with the Kaagwaantaan clan which holds the crest of the brown bear. That cultural connection creates within us an even greater respect for this animal and an increased desire to protect its habitat. The Mt. Goat is also important to us as a subsistence food and for the creation of Chilkat Blankets, an artform that Klukwan is well known for, and is currently experiencing a revival. Goats do not like to be amongst humans and that is why they live in the mountains. A ski competition will likely bring in more skiers, crowds of people who will want to watch the skiers, and television crews who will want to film the event. We believe that all the people and activity associated with a ski competition will create a lot of stress upon the goat population who use those areas and should be avoided.

The village does not believe we should accommodate the heliski industry by opening more areas of the valley for these purposes. Certainly, we understand the requests made by SEABA and Alaska Heliskiing are due to a lack of snow this year. However, it is not justifiable to repeatedly

CHILKAT INDIAN VILLAGE



"Yee gu.aa yax x'wan."

**An Indian Reorganization Act Village  
Under Act of Congress June 15<sup>th</sup>, 1935**

32 Chilkat Ave. Klukwan, Alaska 99827

HC60 Box 2207 Haines, Alaska 99827

Phone: 907-767-5505

Fax: 907-767-5518

klukwan@chilkat-nsn.gov

argue for more use areas any time nature does not provide the snow base for such activity to take place. Further, who is going to police their compliance to the restricted areas? The number of violations to the no-fly zones in the past certainly gives us pause in considering a request to open up new areas to heli-skiing.

Thank you for your consideration of these matters.

Sincerely,

A handwritten signature in cursive script that reads "Jones P. Hotch, Jr.".

Jones P. Hotch, Jr.  
President

## Michelle Webb

---

**From:** Kip Kermoian [alaskakip@yahoo.com]  
**Sent:** Wednesday, March 05, 2014 8:32 AM  
**To:** Debra Schnabel; Julie Cozzi; Michelle Webb  
**Cc:** annandtim1@gmail.com; Julie Cozzi; Michelle Webb  
**Subject:** F&G Upper Lynn Canal Advisory Committee Heli-Ski comments 3514  
**Attachments:** ULCAC comments to Hsn Boro re Heli Request 3514.doc; Steve Fossmans brown bearletter3414.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Agenda Business

Dear Debra,

Attached please find the ULCAC's comments regarding the recent proposal to open currently closed areas 1, 2, 8, 9 and 21 of the 2014 Heli-ski map, and comments from Steve Fossman, who asked that they be included as well. Mayor Scott suggested that I forward these to you, as chair of the Commerce Committee, for your consideration in making recommendations to the Borough Assembly on March 11.

We would also like these comments included in Assembly members packets for their meeting on March 11.

Sincerely,

Kip Kermoian  
on behalf of the ULCAC

Alaska Department of Fish and Game  
Upper Lynn Canal Advisory Committee

Recommendation to the Haines Borough regarding the recent request to open currently closed areas 1, 2, 8, 9, and 21 of the 2014 Heli Ski Map for a special event  
March 21- April 21, 2014

March 5, 2014

The Upper Lynn Canal Advisory Committee supports the Alaska Dept of Fish and Game's position to deny any expansion of Heli-Ski boundaries.

Also for your consideration, please find the following comments made by residents with local knowledge of bear activity associated with Areas 1 and 2:

Local guide, Steve Fossman, has documented denning brown bears in Haska Creek and Pyramid Valley for more than 15 years, frequently observing tracks of bears emerging from their dens during spring where they may remain for a few weeks before departing the area (pers. comm.).

Chip Lende observes from 3 to 4 dens annually between Pyramid Creek and Haska Creek each spring and notes bears remaining at dens anywhere from 2 to 3 week before abandoning them. Emergence is usually in April but can be earlier depending upon the timing of snow pack breakup (pers. comm.).

March 3, 2014

To: Upper Lynn Canal Fish and Game Advisory Committee

From: Steve Fossman

Dear Committee Members:

I have read a Memorandum from Interim Borough Manager Julie Cozzi to the Mayor and the Borough Assembly which recommends the assembly consider allowing a special ski competition event to take place between March 21 and April 21 in areas 1,2 and 21 of the 2014 Heliski Map. The heliskiing event would take place this spring.

I have watched area 1 and 2 for the past 20 years and every one of those years observed at least one of the following events (usually all four) in areas 1 and 2 during the March 21 through April 21 time period:

- brown bear emerging from visible den
- vacated brown bear den
- brown bear travelling these areas (most obviously from dens out of view)
- brown bear tracks coming out of these areas (most obviously from dens out of view)

In addition to the brown bear most people in our community are aware that mountain goats reside in those areas also.

Hopefully your committee will look into this matter and consider making a recommendation to the Borough Assembly to not open these areas in 2014.

Thank you for the opportunity to express my concerns.

Sincerely,

Steve Fossman

POB 1415  
Haines, AK 99827  
March 4, 2014

Dear Mayor Scott and Haines Borough Assembly Members,

It is unfathomable that our Borough would even consider SEABA's request for expansion of its heliski operations after SEABA was found to incur trespass violations 54 of 78 days of operation during the 2012-2013 ski seasons. Shouldn't we be watching closely to make sure this company stays within compliance of current boundary regulations rather than granting them more access, especially in sensitive areas that provide important wildlife habitat? But unfortunately, since the Borough Assembly is in the unfortunate position of having to consider such a ridiculous request, I'll list a few of the many reasons why further access must be denied.

1. I applaud the acting Borough Manager for refusing heliski access to areas near Klukwan since the Klukwan community opposes heliskiing operations, but what about other areas where there is obvious community opposition. Why should these areas be treated differently?

2. I believe we should delete the *Temporary Additions to Approved Commercial Ski Tour Areas* clause from the current regulations since it offers the opportunity for abuse of its stated intent, a one or two day ski competition. It is ridiculous to think that the Borough should entertain SEABA's request to hold a one-month "photo contest" (where are the rules, the prizes, why an entire month?) when it is obvious that this is simply a furtive attempt to gain access to areas otherwise out of bounds.

3. Haines has had and will continue to have unpredictable weather year-round. We cannot change boundaries according to snow or other weather conditions. After all, does AK Department of Fish and Game open areas normally closed to fishing or hunting because the fish or game have relocated. Again, ridiculous!

Please put an end to this ongoing charade; show SEABA that the Haines Borough does indeed have a backbone.

Yours,

Kristin Hathhorn

## Michelle Webb

---

**From:** Jessie Morgan [jessieamorgan@gmail.com]  
**Sent:** Tuesday, March 04, 2014 5:02 PM  
**To:** Michelle Webb  
**Subject:** SEABA and Alaska Heliskiing "Photo Contest"

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Agenda Business

Please Add Comments to Assembly Packet for March 11, 2014

In regards to the recent proposal for opening terrain for a photo contest hosted by SEABA and Alaska Heliskiing, I recommend that the heliski companies have their photo contest to showcase the great skiing in Haines, *without* opening new terrain. The terrain that they propose opening was closed after much democratic debate weighing the environmental concerns of experts and residents. These areas are critical habitat for mountain goats and brown bears, according to Alaska Department of Fish and Game. Please deny the request to open new heliski terrain.

Thank you for your consideration,  
Jessie Morgan

**From:** Mark Battaion [mailto:hathbat@gmail.com]  
**Sent:** Tuesday, March 04, 2014 11:28 AM  
**To:** Julie Cozzi  
**Subject:** heliski request

Dear Acting Manager Cozzi,

As you are aware SEABA is requesting an expansion of it's heliski operations due to poor weather/snow conditions. I am hoping that you deny this request for a number of reasons.

1 - SEABA has not conducted it's past operations with much integrity as is evident by their constant disregard for following the conditions of their permits. The fines imposed by BLM are evidence of this.

2 - The areas that SEABA is purposing to access under the disguise of a "photo contest" is critical habitat for mountain goat populations. By allowing this to happen you are effectively putting the cart before the horse. The impact of a month of incursions into the area and it's effects on wildlife can't be verified after the act has occurred.

3 - Weather/snow conditions are not predictable and should not be an excuse for setting a precedent with permit changes when conditions don't suit SEABA. If a fish run is below predicted numbers, ADF&G doesn't jeopardize the resource because the fisherman are catching less fish. It's part of being in business when Mother Nature calls the shots.

In the end, I sincerely hope you will consider these and other reasons to deny the request presented by SEABA.

Sincerely, Mark Battaion

March 4, 2014

To: Mayor Scott and the Borough Assembly

From: Beth MacCready

Re: Manager's Recommendation to Grant Request for a Special Ski Competition Event

I would like to voice my strong opposition to the manager's recommendation to grant the Alaska Heliskiing and SEABA's request to open areas 1,2,8,9 and 21.

There is a long history of research, public opinion, meetings and negotiations—including compromises— with the resulting conclusions why these areas are not open.

I am opposed to bending rules for the subjective "good for the economy." My husband and I fish commercially. It would be great if the state would open days and areas for us, just for the asking, if the fishing was inferior in designated zones.

I think arbitrarily granting priveleges is a slippery slope for the borough.

Sincerely,

Beth MacCready  
P.O. Box 407  
Haines, AK 99827



**Haines Borough  
Assembly Agenda Bill**

**Agenda Bill No.:** 14-436  
**Assembly Meeting Date:** 3/11/14

| Business Item Description:                                 | Attachments:                                                                                            |
|------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Subject:<br>Repeal Commercial Passenger Vehicle Permitting | 1. Ordinance 14-03-371<br>2. -Please see the Commerce Committee Report which is item 9C1 on this agenda |
| Originator:<br>Commerce Committee                          |                                                                                                         |
| Originating Department:<br>Assembly                        |                                                                                                         |
| Date Submitted:<br>3/4/14                                  |                                                                                                         |

**Full Title/Motion:**  
Motion: Introduce Ordinance 14-03-371 and set a first public hearing for 3/25/14.

**Administrative Recommendation:**

**Fiscal Impact:**

| Expenditure Required | Amount Budgeted | Appropriation Required |
|----------------------|-----------------|------------------------|
| \$                   | \$              | \$                     |

**Comprehensive Plan Consistency Review:**

|                               |                                                                      |
|-------------------------------|----------------------------------------------------------------------|
| Comp Plan Policy Nos.:<br>N/A | Consistent: <input type="checkbox"/> Yes <input type="checkbox"/> No |
|-------------------------------|----------------------------------------------------------------------|

**Summary Statement:**

On 2/26/14 the Commerce Committee met and this ordinance is a product of their discussion.

Note from the Clerk: The term "Unique Classic Vehicle" was added to the Definitions section of HBC 5.20 per the committee instructions. However, no definition of the term has been provided at this time. The Clerk's Office recommends an amendment to this ordinance, after introduction, to provide this definition.

**Referral:**

|                 |               |
|-----------------|---------------|
| Sent to:        | Date:         |
| Recommendation: | Meeting Date: |
| Refer to:       |               |

**Assembly Action:**

|                          |                         |
|--------------------------|-------------------------|
| Workshop Date(s):        | Public Hearing Date(s): |
| Meeting Date(s): 3/11/14 | Tabled to Date:         |

**AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE TITLE 5 SUBSECTION 5.04.130(A), SECTION 5.18.030, CHAPTER 5.20, AND SECTION 5.22.010 TO REPEAL COMMERCIAL PASSENGER VEHICLE PERMITTING.**

**NOW, THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:**

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Subsection 5.04.130(A). Subsection 5.04.130(A) of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE  
**STRIKETHROUGH** ITEMS ARE DELETIONS

**5.04.130 Fees designated.**

A. Application Fee. An applicant for a permit required by this title shall pay a nonrefundable application fee at the time of application in accordance with the following schedule:

|                                                                                             |                    |
|---------------------------------------------------------------------------------------------|--------------------|
| Transient and itinerant merchant permit                                                     | \$25.00            |
| Fair vendor permit                                                                          | \$25.00            |
| <del>Commercial passenger vehicle permit (per vehicle)</del>                                | <del>\$50.00</del> |
| Commercial tour permit – Requiring a public hearing (permit has not been previously denied) | \$125.00           |
| Commercial tour permit – Not requiring a public hearing                                     | \$25.00            |
| Commercial passenger or tour vehicle parking permit (per business)                          | \$25.00            |
| Commercial tour permit – Requiring a public hearing (permit has been previously denied)     | \$1,000            |

No additional fee is due for a permit in the year it is first issued.

Section 5. Amendment of Section 5.18.030. Section 5.18.030 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE  
**STRIKETHROUGH** ITEMS ARE DELETIONS

### **5.18.030 Application process.**

A. Application for a commercial tour permit and permit renewal shall be made using the procedures set out in Chapter 5.04 HBC and this chapter.

~~B. If the applicant intends to use a commercial passenger vehicle for conducting the tour or as a tour shuttle, the applicant must also obtain a commercial passenger vehicle permit under Chapter 5.20 HBC.~~

~~B.~~ An applicant must provide the following information:

1. Name, address, and telephone number of applicant and all principals.
2. Customer capacity; number of vehicles to be used; location of all phases of the tour(s), including where the tour(s) will be offered for sale and scheduled stops; a summary of the tour(s); a map showing the routes to be taken; and hours of operation. One copy of each published pamphlet or brochure describing each tour must accompany the application.
3. Brokers certificate of \$500,000 of current commercial general liability insurance naming the borough as additional insured. The policy shall not contain any self-insured retention or deductible in excess of \$1,000 and shall include a provision requiring written notification to be given to the borough by the insurance company not less than 30 days before the policy is canceled, modified, or terminated for any reason.
4. Proof of worker's compensation insurance where applicable by law.
5. A copy of current Haines Borough business license.
6. Current copy of a signed tour operator's code of conduct agreement which shall be approved by the borough assembly.
7. An explanation of any felony conviction within the past five years.
8. A safety and operating plan for heli-skiing and helicopter tours

Section 6. Amendment of Chapter 5.20. Chapter 5.20 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE  
**STRIKETHROUGH** ITEMS ARE DELETIONS

### **Chapter 5.20 Commercial Passenger Vehicle ~~Permits~~ Requirements**

#### **~~5.20.010 Permit required.~~**

~~A. No person shall operate a commercial passenger vehicle or a commercial tour vehicle within the borough except as authorized by a current commercial passenger vehicle permit issued for such vehicle pursuant to this chapter and the procedures specified in Chapter 5.04 HBC.~~

~~B. Permit Display Required. A commercial passenger vehicle permit must be displayed in the lower right corner of the front windshield of the vehicle, or as otherwise specified by the manager.~~

#### **~~5.20.020.010~~ Definitions.**

For the purposes of this chapter, the following terms shall be defined as follows:

"Commercial passenger vehicle" means a motorized or nonmotorized vehicle or means of conveyance that is used to transport passengers for compensation, regardless of the form or manner of charging the passenger or the form or manner of collecting the compensation. "Commercial passenger vehicle" does not include courtesy shuttles, vehicles with a maximum capacity of six customers operated by fishing or hunting charter operators for excursions,

vehicles operated for guided overnight excursions occurring outside of the Haines Borough, school buses operating exclusively under a contract with a school district, vehicles operated by profit or nonprofit transportation providers for the sole purpose of providing transport for elderly or disabled persons and their attendants, and vehicles operated exclusively by, or on behalf of, the borough, state, or federal governments.

"Commercial tour vehicle" means a commercial passenger vehicle that is used to conduct, or in furtherance of, a "commercial tour" as defined in HBC 5.18.010(B). Unless otherwise defined or provided for in this section, any vehicle or means of conveyance used to transport nonemployee passengers to or from a commercial tour shall be considered a commercial tour vehicle.

"Courtesy shuttle" means:

1. A vehicle that is owned or operated by a hotel, motel, or other similar business providing overnight accommodations to the public and used to provide complimentary transportation to the overnight guests of the business; or

2. A vehicle owned or operated by an air carrier and used to provide complimentary transportation to or from the airport for the passengers of the air carrier.

"Taxi" means a commercial passenger vehicle that is used for the purpose of carrying passengers for pay or hire upon the streets of the city, operating from a fixed or mobile location but not limited in its operation to any particular route. A taxi operates on a call or hail basis to provide point-to-point transportation to a destination determined by the passenger.

**"Unique Classic Vehicle"**

**~~5.20.030 Limitation on vehicle size.~~**

~~A commercial passenger vehicle shall not exceed 40 feet in overall length.~~

**~~5.20.040 Permit application requirements.~~**

~~No permit shall be issued for a commercial passenger vehicle until the applicant has provided all of the following:~~

~~A. The name of the operations manager, emergency contact phone, and local home address.~~

~~B. Proof of current motor vehicle inspection on each motor vehicle to be permitted. Such inspection shall be performed by an inspector authorized to complete Federal Inspection Form # 400-FS-C2 in accordance with 49 CFR Part 396. For the purposes of this chapter, "current" means within the prior 12 months.~~

~~C. Proof of Alaska motor vehicle registration and display as required.~~

~~D. A list of all vehicles to be operated or controlled by the applicant and the applicant's agents or employees and the location of proposed depots and terminals if any.~~

~~E. A description of the color scheme or insignia to be used to designate the vehicle or vehicles of the applicant and the license number and length of each vehicle.~~

~~F. Name, address, and telephone number of the applicant and all principals.~~

~~G. A copy of brokers certificate of \$500,000 of auto and commercial general liability insurance naming the borough as additional insured on all motorized commercial passenger vehicles, except that nonmotorized commercial passenger vehicles require only the commercial general liability certificate. In order to add additional vehicles to the original application, the permit holder must submit proof of insurance and proof of motor vehicle inspection for each additional motor vehicle.~~

~~H. The permit application fee required by HBC 5.04.130(A) applies to each vehicle to be covered by the permit.~~

**~~5.20.050.020 Vehicle identification.~~**

~~A. A commercial tour vehicle **and a commercial passenger vehicle** must display the following:~~

~~1. Commercial passenger vehicle permit sticker.~~

~~2~~ **1.** Tour operator's identification on two sides and rear of vehicle readable from a distance of 50 feet.

B. Multiple vehicles of a commercial tour must be visibly distinguishable from each other.

C. The owner or operator of a unique or classic vehicle may request from the manager an exception from these display requirements to preserve the cosmetic integrity of the vehicle. The manager shall not unreasonably deny such a request.

#### **5.20-~~060~~.030 Taxis.**

A. Taxis must display the following for passenger review:

~~1. Commercial passenger vehicle permit sticker;~~

~~2~~**1.** The appropriate license required under state law for the driver of the vehicle;

~~3~~**2.** Rates, including information specifying whether the rate is per person, per trip, and whether there are additional charges for any other services, such as baggage handling and extra stops;

~~4~~**3.** Address and phone number for the clerk, in order to lodge complaints or comments.

B. Taxis shall operate on a call or hail basis, and may not solicit passengers except in accordance with an approved commercial tour permit issued under Chapter 5.18 HBC. Taxis must adhere to all traffic and parking laws and may not block or delay traffic.

#### **5.20-~~070~~.040 Nonmotorized commercial passenger vehicles.**

The owner or operator of a nonmotorized commercial passenger vehicle proposing tours or shuttle services shall designate routes and stops as required in HBC 5.18.030. In addition to designated stops, a nonmotorized commercial passenger vehicle may stop to pick up passengers hailing the vehicle along designated routes, so long as the vehicle can pull clear of the road traffic lane. Active solicitation from the vehicle to persons along the route is prohibited.

#### **~~5.20-080 Renewal.~~**

~~A commercial passenger vehicle permit issued under this chapter may be renewed annually upon application to the clerk in accordance with the procedure specified in Chapter 5.04 HBC and this chapter, including providing the information required by HBC 5.20.040 for each vehicle to be covered by the permit.~~

#### **~~5.20-090 Revocation or suspension.~~**

~~A commercial passenger vehicle permit may be revoked or suspended in accordance with HBC 5.04.120.~~

Section 7. Amendment of Section 5.22.010. Section 5.22.010 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS TO THE CURRENT LANGUAGE  
**STRIKETHROUGH** ITEMS ARE DELETIONS

### **Chapter 5.22 Commercial Passenger or Tour Vehicle Parking Permits**

#### **5.22.010 Permit required.**

No person shall operate, park, stand, or stop a commercial vehicle within the designated parking area at the Port Chilkoot Dock or other public areas as designated by the borough assembly, except as authorized by a parking permit issued under this chapter and the procedures specified in Chapter 5.04 HBC.

A. An applicant for a commercial passenger or tour vehicle parking permit must possess a valid current commercial tour permit for the tour or tours the applicant offers ~~and a valid current commercial tour vehicle permit for each vehicle that will use the Port Chilkoot Dock parking area or other commercial passenger or tour vehicle parking area designated by the assembly.~~

Haines Borough  
Ordinance No. 14-03-371  
Page 5 of 5

B. A permit applicant must show evidence that use of the permit will be limited to transportation of goods or passengers to or from cruise ships or to provide other commercial passenger transportation services. Such evidence shall be a contract for the presale of tours on board a cruise ship or a description of the transportation service to be provided.

C. A permitted vehicle may use designated commercial vehicle parking areas at times when cruise ships are not in port; provided, that such use involves the provision of passenger tour services. A permitted vehicle is not allowed to use commercial vehicle parking areas when not engaged in a commercial tour activity.

D. Enforcement of the parking provisions in this chapter shall be in effect between May 1st and October 1st of each year.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Stephanie Scott, Mayor

\_\_\_\_\_  
Michelle Webb, Interim Borough Clerk

Date Introduced:            \_\_\_/\_\_\_/\_\_\_  
Date of First Public Hearing:  \_\_\_/\_\_\_/\_\_\_  
Date of Second Public Hearing: \_\_\_/\_\_\_/\_\_\_

## Memorandum

Haines Borough  
Office of the Mayor  
103 Third Avenue S.  
Haines, Alaska 99827  
sscott@haines.ak.us  
Voice (907) 766-2231 ext. 30

March 5, 2014

To: Haines Borough Assembly

Cc: Interim Manager Julie Cozzi

From: Stephanie Scott, Mayor, Haines Borough

Subject: Appointments to Tourism Advisory Board (TAB); Fire Service Area #3 Board

TAB: I attended the TAB meeting when the Board unanimously voted for **Karen Hess and Barb Mulford** to retain their seats. I have also been attending TAB meetings throughout the year. The participation of both applicants is solid in contribution to the agenda items discussed and in attendance. Though both earn their livelihoods in tourism, they are aware of the interdependence of all sectors and do not shy away from consideration of the economic health of our town in general. I urge you to confirm the appointment of Karen Hess and Barb Mulford to the Tourism Advisory Board.

Fire Service Area #3: I was unable to speak directly with **Keith Brooks** because he was traveling but I had a long conversation with Fire Chief Clay who spoke glowingly of Mr. Brooks' long service with the Fire Service Area Board; deep knowledge of the needs of the community; and service with the Klehini Valley Fire Department. I am convinced! Please confirm the appointment of Keith Brooks to the Fire Service District #3 Board.

## Michelle Webb

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**From:** Barbara [bj@takshanuktrail.com]  
**Sent:** Friday, February 28, 2014 10:56 AM  
**To:** Stephanie Scott  
**Cc:** Michelle Webb; Julie Cozzi; Tanya Carlson  
**Subject:** TAB Recommendations for Appointments  
**Attachments:** TAB letter of interest - Created Feb 03, 2014.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Agenda Business

Good Morning,

At our TAB meeting, Monday February 24<sup>th</sup>, the TAB unanimously voted to allow the continued service of current Board Members Karen Hess and Barbara Mulford.

Karen Hess has been involved in the tourism industry in Haines through operation of her own shore excursion, River Adventures, for over 20 years. Karen's knowledge of marketing, budgets, cruise lines, and the tourism industry within Haines is vast and unprecedented. Her participation on the TAB is vital in seeing through the TAB's mission of increasing visitorship to Haines. Karen has been involved with TAB for the last two years and her contributions are much needed for continuity and to see the varying new and old projects through. Her ownership in the Haines-Skagway Fast Ferry is also a huge asset on the TAB. Since the fast ferry is a vital link from Skagway, providing the majority of tourism business to Haines, her updates on the ferry's schedule and business plans assist the TAB in preparing for and expanding the Haines tourism season.

Barbara Mulford has been involved with TAB for the last two years and is currently Chair of the Board. Barbara has a business background and her involvement with tourism consists of operation of her own tour company for the last four years. She was raised in Haines and is currently raising her own child here, thus providing a deep seeded desire to assist with the success and growth of the tourism industry within our community. Barbara is currently president of the Chamber of Commerce, offering a direct path to partnerships with our public and private sectors. The continuity of her participation on TAB is also necessary to see through current and new projects of TAB.

We are delighted to have a consistent Board makeup from the last year. Our board works well together, respects the contributions and backgrounds each bring, and is excited to be a part of a group that collaborates to say YES for the tourism industry in Haines and its endeavors.

Sincerely,

Barbara J. Mulford  
Chair, Tourism Advisory Board

Barbara J. Mulford  
Takshanuk Mountain Trail, Inc.  
Office: 907-766-3179  
Cell: 907-209-5153  
[www.takshanuktrail.com](http://www.takshanuktrail.com)

Follow us on Facebook!

## Chilkat River Adventures, Inc. (River Adventures)

P.O. Box 556

Haines, Ak. 99827

Phone: 800-478-9827

Fax: (907) 766-2051

Karen's Cell: 314-0037

E-mail: [riveradventures@aptalaska.net](mailto:riveradventures@aptalaska.net)

Feb. 3, 2014

Haines Borough Interim Manager, Julie Cozzi

Dear Julie,

I have been serving on the Tourism Advisory Board for the past 2 years and am interested in continuing to serve. I had originally thought that I would step down, but in light of the recent resignation of Tanya Carlson, I feel compelled to continue my service to this community. I feel that tourism is on the up-swing again and in order for Haines to attract more visitors, I want to be a part of that plan. I also feel that since my husband and I are part owners in the Haines Skagway Fast Ferry, I can bring information and insight to the table, regarding the cruise ships and the Skagway market.

Please consider me for this appointment.

Sincerely,



---

Karen M. Hess / Co-Owner & Office Manager

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KLEHINI VALLEY  
VOLUNTEER FIRE  
DEPARTMENT

HC 60 Box 2890  
Haines, Alaska 99827

(907) 767-5550

Robert Clay

KLEHINI VALLEY VOLUNTEER FIRE DEPARTMENT

February 18, 2014

To Whom It May Concern,

We, the members of KVVFD, recommend Keith Brooks for another term on the Board of Directors of Klehini Valley Volunteer Fire Department. Keith has served on the board for 3 terms. When he has been at the yearly meeting he has had very good input and expresses concern on the issues at hand. Therefore, please consider Keith Brooks for another term on the Board of Directors of KVVFD.

Sincerely,

Robert Clay



Chief

KLEHINI VALLEY VOLUNTEER FIRE DEPARTMENT

# Haines Borough Application for Board Appointment

- Appointment** (I am not currently on the board)
- Reappointment** (I am currently a member of the board)

Check the board, commission, or committee for which you are applying :

|                                          |   |                                                              |
|------------------------------------------|---|--------------------------------------------------------------|
| Planning Commission                      |   | Port and Harbor Advisory Committee                           |
| Tourism Advisory Board                   |   | Fire Service Area Board #1                                   |
| Chilkat Center Advisory Board            | ✓ | Fire Service Area Board #3 (Klehini)                         |
| Parks and Recreation Advisory Board      |   | Letnikof Estates<br>Road Maintenance Service Area Board      |
| Museum Board of Trustees                 |   | Riverview Road<br>Maintenance Service Area Board             |
| Library Board of Trustees                |   | Historic Dalton Trail<br>Road Maintenance Service Area Board |
| Public Safety Commission                 |   | Four Winds<br>Road Maintenance Service Area Board            |
| Temporary (Ad-hoc) Board/Committee _____ |   |                                                              |

Name: Keith Brooks

Residence Address: mile 1.8 Chilkat Lake Rd

Mailing Address: HC 60 Box 2632 Haines AK 99827

Business Phone: 907-766-2899 Home Phone: Cell - 907-303-8783

Fax: \_\_\_\_\_ Email: silver-cannals50@hotmail.com

I declare that I am willing to serve as a member of the designated board, commission, or committee. Please enter my name for consideration of appointment by the mayor, subject to confirmation by the assembly. I am a registered voter of the State of Alaska and have resided within the Haines Borough for at least thirty (30) days preceding this date or the date of appointment.\*

Keith Brooks \_\_\_\_\_ 11-26-13  
Signature of Applicant Date

**PLEASE BRIEFLY DESCRIBE YOUR QUALIFICATIONS** (You may attach a resume):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\* HBC 2.60.020 - A member of a committee, board or commission shall be a resident of the borough as defined below...a person qualifying as a borough resident shall: A) Continue to maintain the person's principal place of residence within the corporate boundaries of the borough and have done so for at least 30 days immediately preceding the date of the person's appointment by the mayor; and B) Physically occupy said residence for at least 30 days immediately preceding the date of the person's appointment by the mayor.

**Michelle Webb**

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**From:** George Campbell  
**Sent:** Tuesday, March 04, 2014 2:26 PM  
**To:** Michelle Webb  
**Cc:** Julie Cozzi; Stephanie Scott  
**Subject:** Fwd: Request not to sign HB1

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Agenda Business

Michelle: please forward to assembly members

Dear Assembly Members,

Below is my email and the reply in questioning the position letter sent to Governor Parnell. The letter clearly states that the Haines Borough has a position on legislation. I am unaware of any discussion among the Assembly on this issue.

Not long ago the Assembly, at a meeting, discussed a position letter sent by staff to the Mental Health Trust, and explained our displeasure at not being consulted. Furthermore we stated that such letters defining a position or opinion were to be reviewed by the Assembly.

I am willing to ask for a short emergency meeting this week to discuss this action if any other members would like to do so.

Until we are able to discuss this, I would hope that the staff will remember direction from the Assembly to refrain from enacting policy sending position letters we have not approved.

George Campbell

Begin forwarded message:

**From:** Julie Cozzi <[jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us)>  
**Date:** March 4, 2014, 11:48:40 AM AKST  
**To:** George Campbell <[gcampbell@haines.ak.us](mailto:gcampbell@haines.ak.us)>  
**Cc:** Michelle Webb <[mwebb@haines.ak.us](mailto:mwebb@haines.ak.us)>, Stephanie Scott <[sscott@haines.ak.us](mailto:sscott@haines.ak.us)>  
**Subject:** RE: Request not to sign HB1

I sent the letter as the manager, not the assembly or mayor.

This matter just came up yesterday and the bill is already on the governor's desk for signing. In fact, it may already be signed. As Tracy's boss, I wanted to at least try. I did copy the mayor and assembly, as you know, because I am not trying to circumvent any process. I try to keep you informed of what we are doing. The assembly is not intended to micro-manage. Not everything needs assembly approval.

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**From:** George Campbell  
**Sent:** Tuesday, March 04, 2014 10:31 AM  
**To:** Julie Cozzi  
**Cc:** Michelle Webb  
**Subject:** Re: Request not to sign HB1

When did the Assembly discuss this letter or this issue?

On Mar 4, 2014, at 9:33 AM, "Julie Cozzi" <[jcozzi@haines.ak.us](mailto:jcozzi@haines.ak.us)> wrote:

Dear Governor...

Attached is a letter from me asking you to please not sign HB1 into law. One of our employees is a foreign worker. Everything about her being here is legal, and this driver license requirement would severely impact us. She is our planner and must maintain the ability to drive for site inspections, etc. The borough assembly is supportive of this employee.

I ask for your consideration of this request.

*Julie Cozzi, MMC*

Interim Borough Manager

Haines Borough

P.O. Box 1209

Haines, AK 99827

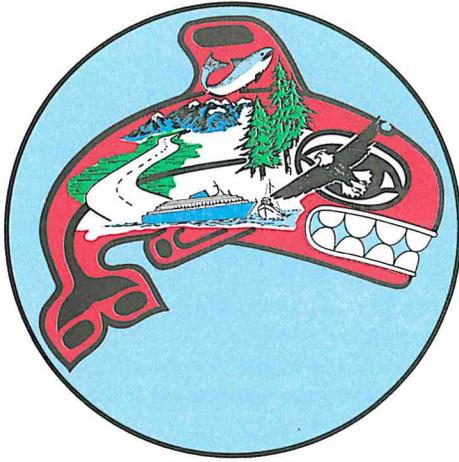
907-766-2231, ext.31

907-766-2716 (fax)

[www.hainesalaska.gov](http://www.hainesalaska.gov)

"The most wasted day of all is that in which we have not laughed."

<3-5-14 Governor Parnell re. HB1.pdf>



**HAINES BOROUGH, ALASKA**  
**P.O. BOX 1209 • HAINES, ALASKA 99827**  
**Administration 907.766.2231 • (fax) 907.766.2716**  
Tourism 907.766.2234 • (fax) 907.766.3155  
Police Dept. 907.766.2121 • (fax) 907.766.2128  
Fire Dept. 907.766.2155 • (fax) 907.766.3373

March 4, 2014

The Honorable Sean Parnell  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001  
sean.parnell@alaska.gov

VIA EMAIL TRANSMISSION

Re. HB1 – Request not to sign

Dear Governor Parnell:

I write to you regarding my grave concerns with HB1, the driver license bill targeting immigrants that recently passed the Alaska House and Senate. I urge you to veto this bill due to the harmful impact it will have on the ability of Alaska employers to employ qualified foreign professional workers. The Haines Borough employs one such worker who will be impacted by this bill.

From news accounts of the passage of HB1, it is clear to me our Alaska legislators are not familiar with the technicalities of US immigration law and have failed to appreciate how this bill will hurt Alaska employers. The bill purports to limit the period of time for which the Alaska DMV may issue an Alaska driver license to a lawfully present, lawfully employed foreign worker. The bill will force the borough's foreign worker to repeatedly seek renewal of her Alaska license; having an Alaska driver license is a requirement of her job, and it will be a hardship for her and for us to force her to repeatedly seek renewal of it.

Our worker, for example, is lawfully employed by the borough because the US Department of Homeland Security approved her to work for us for an initial period of three years. By law, we may seek renewal of this employment, and upon the filing of an extension petition, our worker's ability to work for us is automatically extended under federal immigration regulations.

Our worker's visa, however, is a different matter. Her visa, which is merely a document that allows her to travel internationally, was issued by the US Department of State under the terms of the State Department's "reciprocity tables" between the United States and our worker's home country; under those tables, she cannot get a visa for more than a year at a time, and getting a visa requires her to leave the United States. Our worker does not need a valid visa in order to work for us because her job does not require international travel. From statements in the paper made by the sponsor of HB1, Rep. Bob Lynn, we understand that the Alaska DMV may refuse to renew our employee's driver's license unless she has a valid visa. Because she is not required to have a valid visa in order to work for us (she needs valid worker status, but not a visa), HB1 would pose hardship to us and to our worker, and may prevent her from obtaining the Alaska driver license that she needs as a condition of employment.

Governor Parnell – HB1  
Page Two

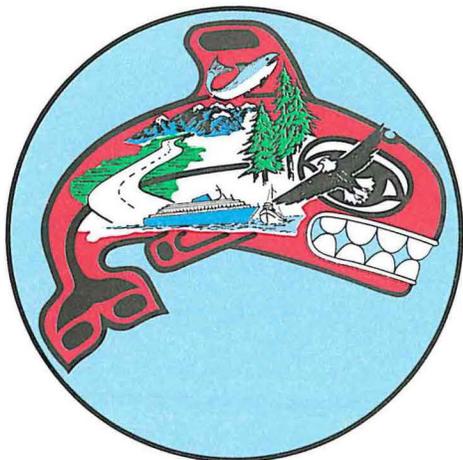
I believe Alaska's legislators are unfamiliar with the technicalities of US immigration law, and passage of this bill will hurt our ability to employ valuable workers. I urge you to veto HB1 when it reaches your desk.

Sincerely,

A handwritten signature in blue ink that reads "Julie Cozzi". The signature is written in a cursive style with a large initial "J" and a stylized "C".

Julie Cozzi  
Interim Borough Manager

cc: Haines Borough Assembly and Mayor



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March 5, 2014

Senator Dennis Egan, Chair, Senate Transportation Committee  
 Representative Peggy Wilson, Chair, House Transportation Committee

Dear Senator Egan and Representative Wilson,

As you know, the Haines Borough prefers improved ferry service over a hard link as the method for achieving the connection of Juneau to interior and western Alaska. Our reasoning is simple: the Alaska Marine Transportation System uses the existing highway that ties together the communities in the archipelago: Lynn Canal and the Inside Passage. Juneau is but one of the communities in that group. When considering the massive investment of state funds that would be required to build the East Side Road up Lynn Canal (some say more than half a billion dollars for the link from Juneau to Katazhin), there might be a greater benefit to a greater number of people to provide for regular, reliable ferry service between already established ports – forestalling the necessity to build the two new ports required by the current plan for the East Side Road.

The Haines Borough has been criticized for lobbying against this linkage on the basis that the project is about Juneau, not Haines. We beg to differ. Most of the proposed road travels through the Haines Borough. If the proposal were simply to extend the Eagan Highway, say to Kensington Mine, the Haines Borough would remain silent, if not actively in support. But that is not the stated objective. The stated objective is to drive a hard link from Juneau (overlooking the fact that a ferry will be required nonetheless) to the Haines Highway or the Klondike Highway.

Given that a hard link is the objective, we have repeatedly asked DOT/PF to reconsider the West Side linkage. Now we ask you to request a serious, numbers-based, presentation of this West Side road. We understand that some of the members of the Senate and House Transportation Committees are unfamiliar with the West Side option. This option travels up the very flat terrain of the west side of Lynn Canal.

The advantages of the West Side route are many. Though none of us on the Borough Assembly are civil engineers, we are told that the West Side route is less challenging

to construct and would be less problematic to maintain given that it is free of the many slide and avalanche zones that characterize the East Side route. Like the East Side route, it would provide land access to land that is already in various stages of development – commercial and residential; but unlike the East Side Route, in the future, the West Side link could connect the additional settled communities of Excursion Inlet and Gustavus. We understand that the larger goal of the Department of Transportation and Public Facilities is exactly that: to link communities with a road system. We think these advantages make the West Side route worthy of your consideration. We respectfully request that you request DOT/PF to brief you on the West Side Route; its advantages and disadvantages compared to the East Side Route, so that you can make an informed decision about the best way to improve Juneau Access and enhance our statewide transportation system.

Sincerely,



Stephanie Scott  
Mayor, Haines Borough

Cc:

Senate Transportation Committee members: Sen. Fred Dyson, Vice-Chair; Sen. Anna Fairclough, Sen. Hollis French, Sen. Click Bishop.

House Transportation Committee members: Rep. Doug Isaccson, Vice-Chair, Rep. Kreiss-Tompkins, Rep. Bob Lynn, Rep. Craig Johnson, Re. Lynn Gattis, Rep. Eric Feige

Senator Bert Stedman

Members, Haines Borough Assembly  
Julie Cozzi, Interim Haines Borough Manager  
Michelle Webb, Interim Haines Borough Clerk

February 25, 2014

Dear Mayor Scott,

I hope the increasing daylight finds you in good spirits and high energy. I wanted to write you about a sustainability and wood energy related topic I've been smoldering over for a while now. It upset me to learn that we assess a value to wood sheds for property tax purposes. **An efficient wood stove burning dry local wood gathered with local labor is one of our most efficient and sustainable heating choices.**

My main concern is that from a policy standpoint, we currently penalize our best source of energy and discourage good practices. We don't tax oil or propane tanks for those imported fuels (or pellet silos as far as I know), but the wood shed tax does create a disincentive. As you know, wood is the fuel of choice (or a supplementary heat source) for a large portion of our community and especially for those less able to afford expensive fuel oil or electric heat. It doesn't pollute when spilled like fuel oil and is CO2 neutral. However, our high moisture content wood needs to be split and dried for at least a year and preferably longer to burn well. In addition to being inefficient (studies have shown up to 60 percent less so for high moisture content wood), burning wet wood is a safety hazard due to the increased creosoting of chimneys and greater amount of soot and other particles put into the air we breathe. This is a big factor in why people are willing to spend so much money and effort burning yet more fossil fuel to import firewood and pellets from Canada and Washington. From a sustainability standpoint, sending dollars out of the Haines area for imported wood-based products is only slightly better than the current situation with fuel oil and propane.

Many homes here utilize a shocking amount of simple electric resistant heating, and I suspect some of the AP&T peak load issues are related to electrical heating demand. As a Borough, we should be encouraging the use of sustainable and smart wood heating especially with our own local biomass (and workforce) where we can. Safe, proper storage with room for multiple year supplies of firewood is key to this effort.

I also feel that measuring wood sheds and deciding whether the hodgepodge of "multi-purpose" sheds is worth taxing is too subjective and not the best use of our Assessor's time. While slightly decreasing overall revenue, changing this policy by exempting wood storage would equalize our approach to different heating fuels and encourage better wood burning practices. It could also be used to catch the attention of the public together with a campaign to educate fire wood users about the importance of proper wood preparation and storage. If only one future house fire is avoided by heating with properly prepared firewood instead of green wood, then any lost revenues are more than offset.

Thank you for your time and consideration, and I look forward to hearing your thoughts on this matter in the future (perhaps around an efficient wood stove burning dry local wood).

Sincerely,



Reuben Loewen

Cc: Haines Borough Assembly Members, Julie Cozzi, Dean Olsen, Al Badgley