

**PORT & HARBORS ADVISORY BOARD
MEETING MINUTES
DATE: 3/14/2017**

CALL TO ORDER:

The Port & Harbors Advisory Board meeting was called to order at 7:01 PM., at the Harbormaster Building at 2933 Tongass, Ketchikan, Alaska.

ROLL CALL:

MEMBERS PRESENT:

<input checked="" type="checkbox"/>	Mr. Dan Christensen	
<input type="checkbox"/>	Mr. John Kimmel	
<input type="checkbox"/>	Mr. John Malouf	
<input checked="" type="checkbox"/>	Mr. Richard "Dick" Allen	
<input checked="" type="checkbox"/>	Mr. Timothy Walker	(Vice Chairman)
<input checked="" type="checkbox"/>	Mr. Dale "Mickey" Robbins	(Chairman)
<input checked="" type="checkbox"/>	Mr. Mark Flora	(Council member)
<input checked="" type="checkbox"/>	Mr. Rod Bray	
<input type="checkbox"/>	Mr. Mike Lindgren	

MEMBERS ABSENT:

Excused

<input type="checkbox"/>	Mr. Dan Christensen	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Mr. John Kimmel	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Mr. John Malouf	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Mr. Richard "Dick" Allen	<input type="checkbox"/>
<input type="checkbox"/>	Mr. Timothy Walker	<input type="checkbox"/>
<input type="checkbox"/>	Mr. Dale "Mickey" Robbins	<input type="checkbox"/>
<input type="checkbox"/>	Mr. Mark Flora	<input type="checkbox"/>
<input type="checkbox"/>	Mr. Rod Bray	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Mr. Mike Lindgren	<input checked="" type="checkbox"/>

Harbor Staff Present:

<input type="checkbox"/>	Mr. Steve Corporon
<input type="checkbox"/>	Mr. Dan Berg
<input checked="" type="checkbox"/>	Ms. Angel Holbrook
<input checked="" type="checkbox"/>	Mr. James Wilson

City of Ketchikan Staff Present:

<input checked="" type="checkbox"/>	Mr. David Martin, Assistant City Manager
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MINUTES:

MOTION was made by Walker to accept the minutes of the meeting of the Port &

Harbors Advisory Board from February 14th, 2017. **MOTION SECONDED** by Bray. **MOTION PASSED UNANIMOUSLY; Kimmel, Lindgren, Malouf absent.**

COMMUNICATIONS:

1. Jared Oien, Rainy Day Charters LLC, Stall Holder Thomas Basin 03-27. Letter to the Board in regards to Old Business Agenda Item 4.
2. Marvin Davis, Thomas Basin User. Letter to the Board in regards to Old Business Agenda Item 4.
3. George Mahoney, Operations Manager, SeaPro. Public Comment in regards to Old Business Agenda Item 4.

PERSONS TO BE HEARD: Linda Millard of Millard Associates Architects, LLC, Don Loughlin of Woodwright Construction in representation of Rob Scheer and Jack Dawson the land owners of the Sheet Pile Wall in Thomas basin, Ryan McRoberts, Don Westlin, and Bob Sivertsen, City Council Member.

Chairman Robbins opened the table for public comment.

Linda Millard: States she is here in representation of the Great Alaska Lumber Jack Show (GALJS) and the land owners. She is here to answer any questions that may arise.

Don Loughlin: States that many years of planning has gone into this project. He states he is here for any questions in relation to the concurrence on the modified 408 dredge plan permit. He was hired by Mr. Scheer to represent him, and to work as a project manager of sorts. Mr. Loughlin also states that he just became involved in this project prior to the last meeting, and will not work on any of the actual construction of the project. Mr. Loughlin then states that COK owns the wall, and the wall is not on the property of the GALJS.

Don Westlin: States that he is surprised at the decision to not replace the sheet metal wall with another sheet metal wall. Mr. Westlin is a Thomas Basin Harbor user. He states that winds and storms increase the flow out of Ketchikan Creek already making it hard to use the harbor at times. Swimmers, fishermen, kayakers, seine boats, rafting vessels, tour vessels, and sailing vessels also increase difficulty of use. Mr. Westlin feels that 100' leeway is not enough by any means, and that the sheet pile wall is currently being used to keep the channel open. There is already a sandbar present and sail vessels run aground on with their deep keels. He feels that the GALJS has known for a very long time the condition of the wall. Mr. Westlin references scouring, or the movement of the bottom by his definition, and states Louisiana Pacific knew this concern and considered it when building the original wall. He states that using the harbor will be a nightmare if the project moves forward. Mr. Westlin asks why the general public will be required to deal the GALJS's problem by giving up their right of way. Mr. Westlin asks The Board please reconsider their support for the modified dredge permit.

Mr. Westlin would also like to comment on Old Business Agenda Item number 5: he

asks that The Board please consider Northerly winds when looking at proposals.

Ryan McRoberts: States he is here today in representation of Clayton Moore, Jared Oien, Jared Parrot, and himself; all Thomas Basin users. Mr. McRoberts states that they all wrote the communication letter presented together. Mr. McRoberts then asked to read the communication letter aloud, and Chairman Robbins granted permission. After reading the letter, Mr. McRoberts states that because it is his knowledge the City of Ketchikan (COK) contributed \$20,000 to this project, it is a public project and there was no public comment period, and this does not follow the rules. He also states that he feels a sheet pile wall is the best option for replacement.

Linda Millard: States that in August 2016 the U.S. Army Corp of Engineers (ACE) surveyed Thomas Basin. She also states that the modified dredge plan addresses the bottom areas that are above 10' feet in elevation. Ms. Millard cites the Thomas Bay study presented at the last meeting, published in February 2016. She also states the \$20,000 Mr. McRoberts referenced was paid solely by Mr. Scheer and Mr. Dawson, and that a sheet pile wall is \$8 million dollars to put in. Ms. Millard then states that no matter the replacement, Mr. Scheer is entitled to a 20' easement from the wall, if he wanted, for moorage, which would make the channel even smaller. But that Mr. Scheer is not going to use this easement, and is acting on good faith from the Thomas Bay study presented, and will be gifting the easement area to the COK for placement of a promenade, as well as 20' of uplands.

Ryan McRoberts: States that vessels moored along the wall are above water hazards he can be aware of, and that sedimentation is a below water hazard that he cannot be aware of or predict the severity of. The proposed rock pile will come 30' out into the channel, and catch sediment from Ketchikan Creek.

Board Member Bray asks how, if Mr. Scheer does not own the wall as stated previously, does he expect to claim a 20' easement? Board Member Bray asks Assistant Manager Martin if he can speak to ownership of the wall.

Assistant Manager Martin: States that the COK has the legal opinion of two different lawyers that the COK does not own wall or the property in question. Mr. Martin then states that he would like noted that what Rob Scheer is proposing is a private project, not a COK project.

Linda Millard: States that the tidelands are owned by the State of Alaska (SOA), and leased to the COK. SOA has given permission to move forward with this project. Ms. Millard also states that in ACE advertised this project in July 2016 as a dredge permit review. The project has not changed since then. The project was created off of the February 2016 Thomas Bay study, which states there will be negligible change in the flow due to dredging, and that because of this the project was allowed to move forward. Also, because of this negligible change there is no mitigation plan if sedimentation increases. But, she would also like to note that the ACE is responsible for keeping the navigable channel open, so it would be their responsibility if sedimentation occurred in the future.

Chairman Robbins closes the table for public comment.

Agenda Item #1: CPV funding update- no update.

Agenda Item #2: 50/50 Harbor Grant Update- no update.

Agenda Item #3: Update on implementation of approved changes to KMC Title 14, Boat Harbors Facilities- no update.

Agenda Item #4: Update on Great Alaska Lumberjack Show sheet pile project:

MOTION was made by Bray to reconsider the motion passed at the February 14th, 2017 meeting to support the modified 408 dredge plan that will be submitted to the Army Corps of Engineers by Rob Scheer of the Great Alaskan Lumber Jack Show. **MOTION SECONDED** by Allen. **MOTION FAILED: Bray, Allen, Flora yea; Walker and Robbins nay; Christensen abstain; Kimmel, Lindgren, Malouf absent.**

Administrative Assistant's Note: Although the motion to reconsider technically failed, the board continued to discuss the subject. Such discussion is recorded here but does not constitute official action.

Bray would like to note that the technical memorandum presented titled *Spruce Mill Sheet Pile Wall Replacement Impact Analysis of Proposed Project on Current Velocities in Thomas Bay*, authored by Coast & Harbor Engineering on February 26th, 2016 cites using limited data at the study site, the data that was indeed used was collected in 1967, and that the authoring company never traveled to Ketchikan during the creation of this document.

Also, Bray notes a wall constructed at the outlet of Ketchikan Creek to protect the open moorage float and Ketchikan yacht club some years ago due to the strong currents present in Thomas Basin, stating that this is testament to the high flow already in Thomas Basin. This flow also creates current problems with sedimentation.

Walker notes that he feels the study is weak, and that the currents in Thomas Basin are indeed visible to the naked eye. Walker, too, acknowledges current sedimentation issues, and the issue of sail vessels grounding. Walker would like clear direction as to what exactly is being voted on tonight.

Allen states that the matter at hand is whether to offer support to the modified 408 dredge plan that will be submitted to the ACE. Allen states he would have not voted in favor of the motion passed on February 14th, 2017 had he had time to study the technical memorandum presented at the same meeting prior to his vote.

Chairman Robbins would like to note that The Board approved the project plans in 2015, and gave the restrictions they wanted followed; noting no changes in the construction project plan since then.

Flora and Bray inquire as to why there was no public comment period. Council Member Sivertsen states that this project plan has come before the Council at least three times to his knowledge, and was open for comment at that time.

Bray and Walker inquire as to what happens if the wall fails or sedimentation increases?

Chairman Robbins notes that the ACE is responsible for dredging, but Bray points out there is already sedimentation and grounding issues, and they have yet to dredge.

Walker suggests that this issue needs to be sent to The City Council and opened for public comment; Flora agrees.

Bray then states that he feels strongly that the issue of ownership does need to be addressed.

MOTION was made by Allen to defeat the motion passed at the February 14th, 2017 meeting to support the modified 408 dredge plan that will be submitted to the Army Corps of Engineers by Rob Scheer of the Great Alaskan Lumber Jack Show. **MOTION SECONDED** by Bray. **MOTION FAILED: Bray, Allen, Flora yea; Christensen, Walker, Robbins nay; Kimmel, Lindgren, Malouf absent.**

Discussion was then held by all Board Members, Council Member Sivertsen, and Assistant Manager Martin on the most effective way to move forward with the issue at hand. Robbins suggests that a memorandum be sent from The Board to The City Council suggesting a public comment period. Assistant Manager Martin then states he will work with Chairman Robbins to draft the communication.

Agenda Item #5: Update on Hole In The Wall breakwater enhancement proposal- It was determined by The City Council that the bidding process was flawed, and all bids were thrown out. Bidding was opened again with project specifics that were lacking in the previous request for proposals; bidding closes on March 28, 2017.

NEW BUSINESS:

None

Director's Report:

James Wilson is Acting Port and Harbors Director at this time. He states that the materials for re-decking Thomas Basin have arrived, and the in-house project will commence in the coming months. Two temporary maintenance workers have been hired, and three temporary harbormasters are in the process of being hired as well, with one a returning harbormaster. 27 returning Port Security employees have been hired, and two new hires have been approved. The department is waiting on approval to offer the Port Operations Coordinator position to a well-qualified candidate. Once the new Coordinator is on board, he will set a formal start date for Port Security employees.

There has been some issues with handicapped parking on the port, but Council Member Sivertsen states Joe White has been made aware and is working on the issue.

COMMITTEE MEMBER COMMENTS:

Mr. Dan Christensen:

Mr. John Kimmel:

Mr. John Malouf:

Mr. Timothy Walker:

Mr. Dale "Mickey" Robbins: Thanks all attendees for being present and participating this evening.

Mr. Mark Flora:


Mr. Richard "Dick" Allen: Would like to apologize for the heated discussion on the Sheet Pile Wall Project, and asks that none of the Board Members take it as a personal matter.

Mr. Rod Bray: Would like to apologize for heated discussion on the Sheet Pile Wall Project, but he is passionate about this topic and does not feel it has been addressed correctly.

Mr. Mike Lindgren:

ADJOURNMENT:

MOTION TO ADJOURN was made by Allen at 9:17 pm **MOTION SECONDED** by Bray. **MOTION PASSED UNANIMOUSLY. Kimmel, Lindgren, Malouf absent.**

 4/11/17

Chair/Vice Chair Signature

Date