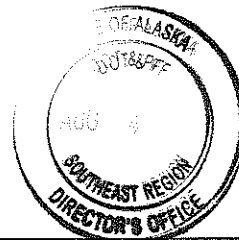


**CITY/BOROUGH OF JUNEAU**  
**ALASKA'S CAPITAL CITY**



**DATE:** August 2, 2006

**TO:** Malcolm Menzies, P.E.  
Southeast Regional Director  
Alaska Department of Transportation and Public Facilities

**FROM:** Laurie Sica, CMC  
Municipal Clerk *Laurie Sica*  
City and Borough of Juneau, Alaska

**SUBJECT:** Juneau Access Project – Echo Cove to Sweeney Creek,  
CBJ Community Development Department File # CSP2006-00005

This letter is to provide notice of Assembly action regarding its review of CSP2006-00005. At a special meeting of the Assembly of the City and Borough of Juneau, held July 29, 2006, the Assembly adopted the following motions:

*MOTION, by Sanford, that, with the conditions listed in the June 9, 2006 staff report, the Assembly finds the DOTPF Project, from Echo Cove to Sweeney Creek, as submitted to the Community Development Department, consistent with the City Land Use Code and Comprehensive Plan.*

and

*MOTION, by Sanford, to amend the main motion to amend condition #17 in the June 9, 2006 staff report to read, "DOTPF shall work with Alaska Department of Fish and Game and National Marine Fisheries Service to design a monitoring program that will determine the impacts of the bridges and road construction and use on the East side of Berner's Bay and in the Antler River."*

The conditions listed in the June 9, 2006 CBJ Community Development Department staff report, as incorporated by the motions above, are as follows:

1. Underpasses will be included for the two identified major brown bear migration corridors on the isthmus between the Lace and Antler Rivers.
2. All anadromous fish streams will be crossed by bridges. Streams that can be crossed with 130-foot or shorter bridges will not have any structures or fill in the stream channel.
3. In appropriate habitat, nesting surveys for Trumpeter Swans and Queen Charlotte Goshawks will be conducted prior to construction. Clearing will be avoided in the vicinity of active nests.
4. DOT will fund wildlife monitoring studies to assess impacts and manage populations for mountain goats, moose, bears, wolverines, eagles and sea lions. If goat monitoring identifies areas where pregnant nannies congregate in late winter or early spring, DOT will coordinate with the Department of Fish and Game to avoid construction from January through April in those areas to the extent feasible.
5. No construction will occur in April or May within one mile of identified harbor seal haulouts.
6. DOT will coordinate with the U.S. Fish and Wildlife Service to avoid impacts on eagle nesting trees. No construction will occur within 330 feet of an eagle nest, and no blasting will occur within 0.5 miles of an eagle nest, during the March 1 to May 31 nest selection period unless agreed to by the U.S. Fish and Wildlife Service. If a nest is active, no construction blasting will occur within these distances until after August 31, unless the U.S. Fish and Wildlife Service approves a plan to avoid impacts while operations continue, and DOT has obtained variances from the CBJ.
7. No in-water work is permitted between March 15 and June 15 in anadromous waters.
8. The Best Management Practices in CBJ 49.70.1080 (b) (7), (A) through (G) shall be employed during construction of the project.
9. The road alignment in Berners Bay provides for a shoreline buffer of naturally-occurring trees and vegetation between 50 and 1,000 feet (and more) wide. This alignment shall be retained and in no case shall the buffer be less than 50 feet.
10. No material will be sidecast into Berners Bay during construction.

11. Multi-span bridges will be used across the Lace and Antler Rivers at the head of Berners Bay. These bridges will be constructed with piers spaced at least 130 feet apart to minimize impacts to water flow and circulation patterns and will be designed to avoid salt marshes and inter-tidal flats.
12. No road pullouts and road facilities, such as restrooms, will be constructed in wetland areas. All construction camps, staging sites, borrow pits, and waste areas between Slate Creek and Sweeny Creek will be located on upland areas.
13. DOT will not construct boat launch ramps in any location along the highway route.
14. A barrier shall be placed along the road segments crossing the Antler and Lace Rivers and adjacent wetlands where necessary to prevent access to tideflats by off-road vehicles.

Wetlands Review Board Conditions

15. The location of wildlife underpasses shall be field verified by the Alaska Department of Fish & Game (ADF&G) and U.S. Forest Service experts before locations are finalized.
16. In-water construction shall be limited to times when eulachon are not migrating or spawning in the area, and impacts are minimized to migrating adult salmon, at ADF&G's discretion.
17. DOTPF shall work with Alaska Department of Fish and Game and National Marine Fisheries Service to design a monitoring program that will determine the impacts of the bridges and road construction and use on the East side of Berner's Bay and in the Antler River. (this is the amended condition by the CBJ Assembly on July 29, 2006).
18. To mitigate for the loss of wetland functions, including waterflows and quality, water retention devices, oil/water separators and/or Best Management Practices (BMPs) that mimic current flow patterns shall be designed and installed along the east shoreline of Berners Bay to act as filters to clean the water.

Advisory Condition

19. The Measures to Minimize Harm identified in the April 3, 2006, Federal Highway Administration Record of Decision on the Juneau Access Road shall be incorporated as elements of the project.