

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: February 21, 2007

TO: Planning Commission

FROM: Peter Freer, Planner
Community Development Department

FILE NO.: CSP2007-00001

PROPOSAL: City Project Review for an easement of a portion of Dock Street and Alaska Tideland Survey 14 for a submersible GCI Fiber Optic Cable.

GENERAL INFORMATION

Applicant: GCI Communications

Property Owner: CBJ-Lands and Resources

Property Address: Dock Street

Legal Description: ATS 14 Remainder

Parcel Code No.: 2-D04-0-T32-006-1

Site Size: 89.58 acres

Zoning: Waterfront Industrial

Utilities: Municipal water and sewer

Access: Dock Street

Existing Land Use: CBJ Dock

Surrounding Land Use: North - Gastineau Channel/Rock Dump
South - Douglas/Savikko Park
East - Gastineau Channel/Thane Road
West - Downtown Douglas



ATTACHMENTS

Attachment A Vicinity Map
Attachment B Upland and Intertidal Cable Location – Rock Dump
Attachment C Upland and Intertidal Cable Location – Dock Street
Attachment D State Coastal Consistency Letter
Attachment E Overall Project Schematic

BACKGROUND

GCI is undertaking upgrades in Juneau in order to create system redundancy and circuit protection for local and long distance telephone and other services. To accomplish this, GCI has installed a submarine cable between Lena Point and Douglas for connection to the company's existing fiber cabling in downtown Douglas. The two projects proposed herein (CSP2007-00001 and CSP2007-00002) allow GCI to connect the Douglas installation to the company's earth station facility at the Rock Dump and create redundancy in the system.

The applicant proposes to place a submarine fiber optic cable on the floor of Gastineau Channel connected to underground vaults located on CBJ property at Dock Street and near the sewer treatment plant at the Rock Dump. Approval of this CSP authorizes the acquisition of a 10-foot-wide telecommunications easement from the CBJ beginning where Dock Street and ATS 14 intersects the southeast corner of Lot 1A, Block 46 of the Douglas Townsite and ending where ATS 14 abuts Gastineau Channel.

ANALYSIS

The project has been reviewed by the Docks and Harbors board and Port Director, John Stone, has stated that Docks and Harbors department is "on board" with the project. Likewise, the CBJ water and wastewater utilities have reviewed the project and have determined that the project will have no effect on CBJ utility facilities and improvements. Finally, following consultation with the Public Works Department, the project has been modified to move the underground vault closer to First Street, to avoid any conflict with winter snow storage and disposal by the streets division.

The Lands Committee reviewed the project at its January 22, 2007 meeting, and recommended Assembly approval. The Docks and Harbors Board reviewed the project at its January 16,, 2007, meeting, and likewise recommended approval.

The applicant has received a U.S. Army Corps of Engineers Nationwide Permit (POA-2007-232-D) for work in and/or placement of dredged and/or fill material into waters of the U.S. The Corps permit stipulates that:

1. Use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the U.S.
2. The permittee must install and maintain, at its own expense, any safety lights and signals

prescribed by the United States Coast Guard, through regulations or otherwise, on its authorized facilities.

3. The permittee understands and agrees that, if future operations by the U.S. require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, or relocate, or alter the structural work or obstruction caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

The applicant has applied for a Tidelands Lease (ADL 107538) from the Alaska Department of Natural Resources for that portion of the easement in state tidelands. DNR staff in the Southeast Regional Office is preparing the lease at this time and is scheduled to issue the draft lease agreement for 30-day review this month. The Division of Mining, Land and Water will coordinate with DNR-Habitat in the preparation of the lease agreement and, as necessary, will include conditions for habitat protection in the inter-tidal zone.

GCI will post the final cable location with the Coast Guard and the National Oceanic and Atmospheric Administration to ensure accurate navigation records and promote navigation safety, particularly for vessel anchorage. The applicant will also post signage at both the Douglas Island and mainland landing sites stating "Fiber Optic Cable Landing Area."

COMPREHENSIVE PLAN

CBJ Comprehensive Plan Policy 4.5 states:

It is the policy of the CBJ to plan for the timely and efficient provision of an appropriate level of public facilities and services in all developed and developing areas of the CBJ.

While the utility in question is private, there are obvious public benefits in the provision of reliable telecommunications services. The proposed development meets the intent of this policy.

JCMP REVIEW

The applicant has completed a Coastal Policy Questionnaire to determine whether the project will undergo a Coastal Management consistency review. The Department of Natural Resources, Office of Project Management and Permitting, where the Alaska Coastal Management Program (ACMP) is administered, has determined that the project does not require a state consistency review. This determination means that the project can be properly addressed by the Department of Natural Resources without a coordinated state review.

Staff in the Department of Natural Resources, Division of Mining, Land and Water and the Office of Habitat Management and Permitting, have stated that the project has minimal environmental impact. The agency does not anticipate the need for a moratorium on in-water work and will require the

applicant to follow best management practices for work in the inter-tidal zone. These BMP's will be similar to, if not identical to, stipulations in the DNR Tidelands Lease for the GCI submarine fiber optic cable previously laid between Lena Cove and Douglas Island.

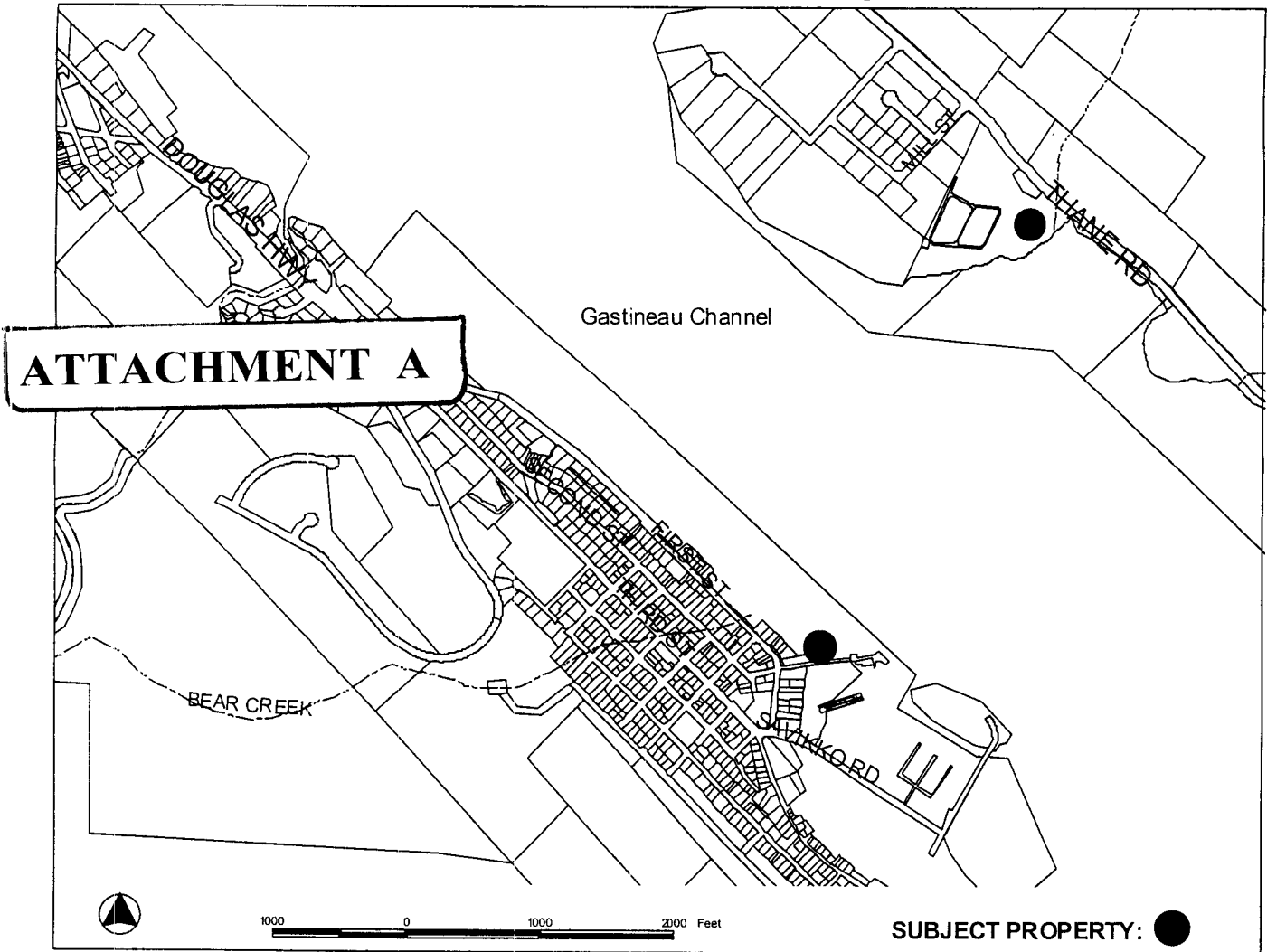
FINDINGS

All evidence indicates that the project complies with the CBJ Land Use Code and applicable plans, including the Comprehensive Plan and Juneau Coastal Management Program. The project will provide for more reliable telecommunications services in the CBJ. Impacts from project construction will be addressed with Best Management Practices for work in the inter-tidal zone. The applicant has obtained a U.S. Army Corps of Engineers permit for work in the inter-tidal zone and anticipates issuance of a tidelands permit from the state Department of Natural Resources. These permits will address technical requirements including cable strength, construction specifications and other requirements for the installation of improvements in tidelands. GCI will post the final cable location with the Coast Guard and NOAA to ensure accurate navigation records, and will post signage at both the Douglas Island and mainland landing sites.

RECOMMENDATION

Staff recommends that the Planning Commission forward their recommend of approval of the City Project Review for an easement of a portion of Dock Street and Alaska Tidelands Survey 14 for a submersible GCI Fiber Optic Cable of the lease to the Assembly.

NOTICE OF PUBLIC HEARING



PROPOSAL: CSP2007-00001: City Project Review for an easement of a portion of Dock Street for a submersible GCI Fiber Optic Cable
 CSP2007-00002: City Project Review for an easement of a portion of Thane Road for a submersible GCI Fiber Optic Cable

FILE NO:	CSP2007-00001 CSP2007-00002	APPLICANT:	GCI COMMUNICATIONS
TO:	Adjacent Property Owners	PROPERTY OWNER:	CITY & BOROUGH OF JUNEAU
HEARING DATE:	February 13, 2007	PROPERTY ADDRESS:	DOCK ST and THANE
HEARING TIME:	7:00 P.M.	PARCEL CODE NUMBER:	2-D04-0-T32-006-1 1-C11-0-K00-004-0
PLACE:	ASSEMBLY CHAMBERS Municipal Bldg. 155 South Seward St., Juneau, Alaska 99801	SITE SIZE:	195.33 acres
		ZONING:	Waterfront Industrial
		ACCESS:	DOCK ST and THANE

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Peter Freer at 586-0465 , or via e-mail: Peter_Freer@ci.juneau.ak.us

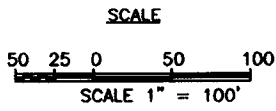
Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

GCI Submersible Fiber Optic Cable
-Gastineau Channel Crossing
-ATS 556 Location (north project boundary)

CBJ#: _____
Date: 01/15/2007
Sheet 3 of 5

N58 17' 08.68"
W138 23' 11.62"
CRM T041s R067w Sec: 25 NW 1/4 of SE 1/4

New Cable Installation will cross
over property boundary north of
Princess Cruise Lines fenced area
(fence covers ATS 201 easement)



— Terrestrial Fiber
— Submersible Fiber

ATS 201

130'

50'

MHW

290'

MLLW

115'

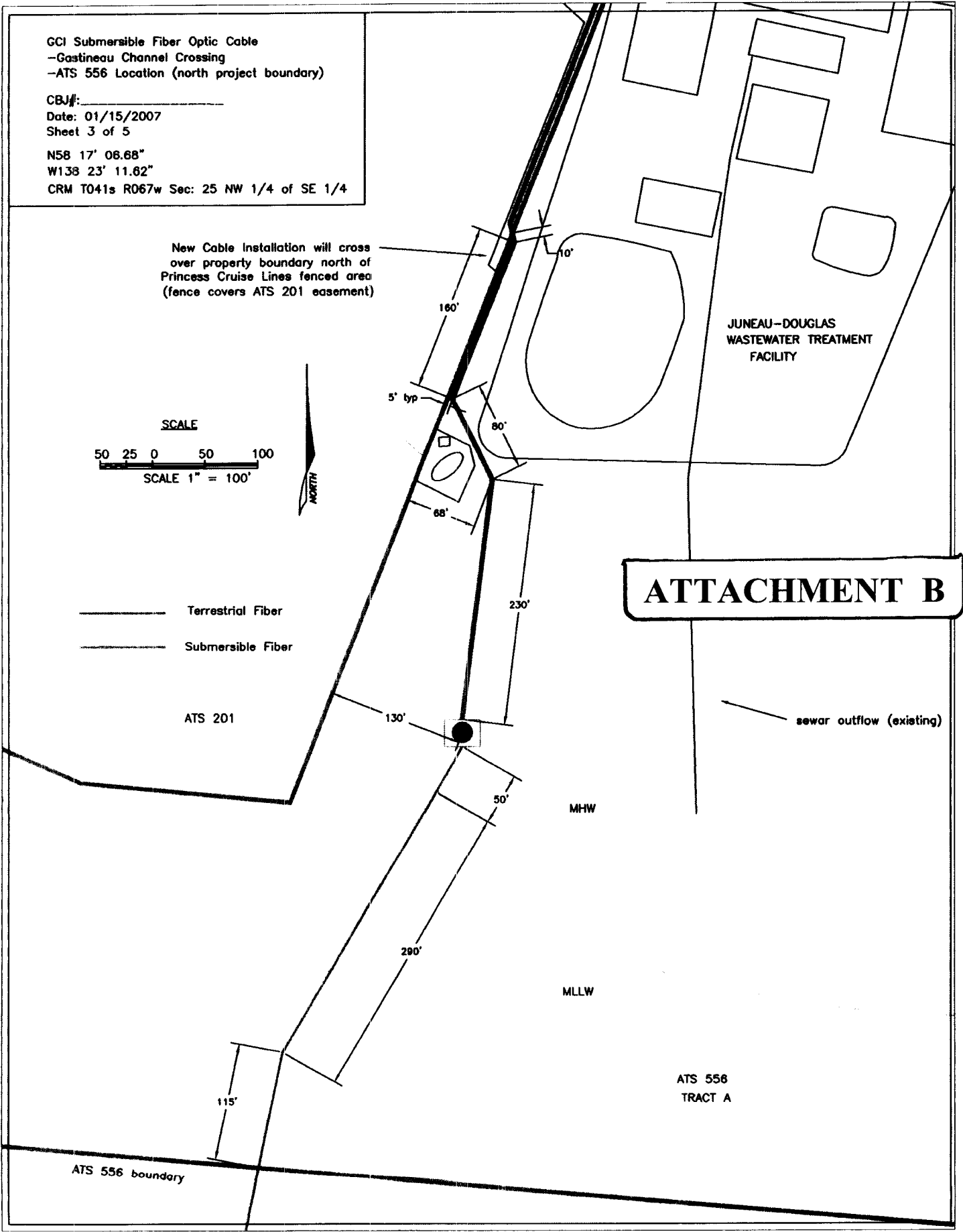
ATS 556 boundary

ATTACHMENT B

sewar outflow (existing)

JUNEAU-DOUGLAS
WASTEWATER TREATMENT
FACILITY

ATS 556
TRACT A

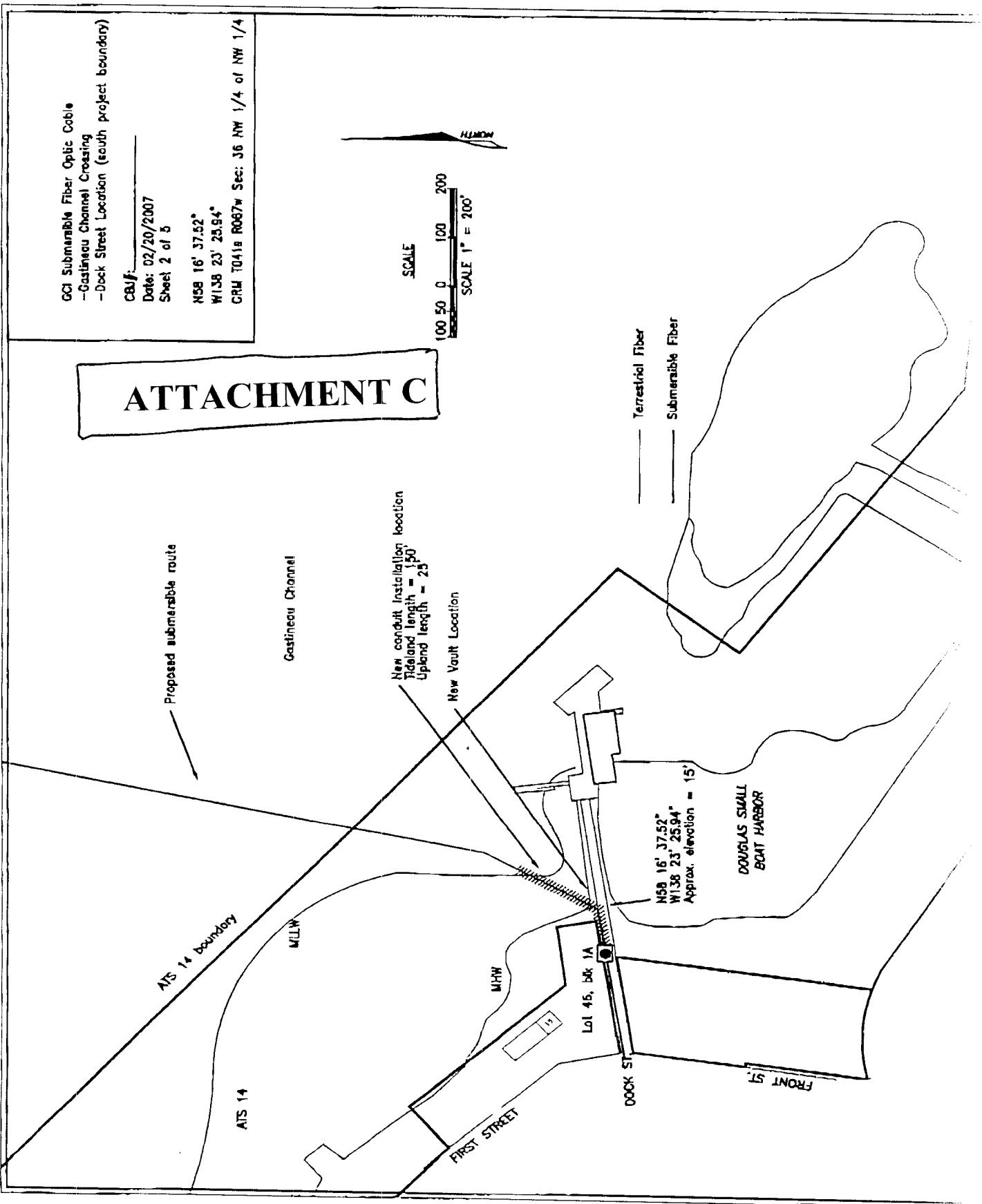
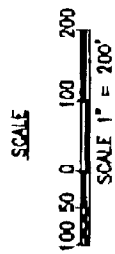


GCI Submersible Fiber Optic Cable
 -Gastineau Channel Crossing
 -Dock Street Location (south project boundary)

C&F:
 Date: 02/20/2007
 Sheet 2 of 3

N58 16' 37.52"
 W138 23' 25.94"
 CRU T041B R067W Sec: 36 NW 1/4 of NW 1/4

ATTACHMENT C



STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES OFFICE OF PROJECT MANAGEMENT AND PERMITTING

SOUTHCENTRAL REGIONAL OFFICE
550 W 7TH AVENUE SUITE 750
ANCHORAGE, ALASKA 99501
PH: (907) 269-7470 FAX: (907) 269-3891

CENTRAL OFFICE
P.O. BOX 111030
JUNEAU, ALASKA 99811-1030
PH: (907) 465-3562 FAX: (907) 465-3075

PIPELINE COORDINATOR'S OFFICE
411 WEST 4TH AVENUE, SUITE 2C
ANCHORAGE, ALASKA 99501
PH: (907) 257-1351 FAX: (907) 272-3829

www.alaskacoast.state.ak.us

February 6, 2007

Mr. Leighton Lee
Meridian Management
3940 Arctic Blvd., Ste. #102
Anchorage, Alaska 99503

ATTACHMENT D

Dear Mr. Lee:

**Subject: Gastineau Channel (GCI Submersible Optic Cable)
State I.D. No. 2007-0111J
No ACMP Review Required**

The Office of Project Management & Permitting (OPMP) has received the Coastal Project Questionnaire and Certification Statement (CPQ) and supporting plans and applications you submitted on behalf of CGI Communications, Inc. (GCI) for work that involves the placement of approximately 3,000 of submersible optic cable across Gastineau Channel. The project will start at the north end terminus by near the Capital Community Broadcasting earth station within section 25, Township 41 S., Range 76 W., Copper River Meridian (58° 17' 06.68" North, 134° 23' 11.62" West), and running across the Channel south to the south end terminus midway along Dock Street north of the Douglas Boat Harbor within section 36, Township 41 S., Range 67 W., Copper River Meridian (58° 16' 37.52" North, 134° 23' 25.94" West).

The office has consulted with the State of Alaska Office of Habitat Management & Permitting (OHMP) as well as the Division of Mining, Land, & Water (DMLW) regarding your project. DMLW will be authorizing this activity across State submerged lands with easement ADL 107538. This project has met with no objection from these State agencies. This office was also informed by the U.S. Army Corps of Engineers (USACE) that they have determined that the project will be authorized by Nationwide Permit #12 - Utility Line Activities and its associated Regional and General Conditions, under individual project number POA-2007-0232-D. Based on these consultations, OPMP has determined that the activities associated with the proposed project do not warrant a formal review for consistency with the ACMP, and has no objection.

If changes to the approved project are proposed prior to or during its siting, construction, or operation, you are required to contact this office immediately to determine if further review and approval of the revised project is necessary.

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

Mr. Leighton Lee
Gastineau Channel (GCI Submersible Optic Cable)
ID 2007-0111J

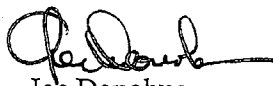
February 6, 2007

If the project is changed in any significant way, or if the actual use differs from the approved use contained in the original project description, the State may amend this State approval, and may require a consistency determination.

If the proposed activities reveal cultural or paleontological resources, the applicant is to stop any work that would disturb such resources and immediately contact the State Historic Preservation Office (907-269-8720) and the U.S. Army Corps of Engineers (907-753-2712) so that consultation per Section 106 of the National Historic Preservation Act may proceed.

If you have any questions, please contact me by email at joe_donohue@dnr.state.ak.us, or by phone at 465-4664. Thank you for your cooperation with the ACMP.

Sincerely,



Joe Donohue
ACMP Project Specialist

cc: Brenda Krauss – ADEC, Juneau *
Mark Fink, - ADFG, Anchorage *
Travis Guymon – ADNR/DMLW, Juneau *
Alex Dugaqua – ADNR/DMLW, Juneau *
Jackie Timothy – ADNR/OHMP, Juneau *
Claire Batac – ADNR/OPMP, Juneau *
Margie Goatley – ADNR/SHPO, Anchorage *
Andy Hughes – ADOT&PF, Juneau *
Teri Camery – Coastal District, Juneau *
Susan Walker – NMFS, Juneau *
Garth Zimbelman – USACE, Juneau *

* = e-mail

ATTACHMENT E

