

SEALT Comments on Level 1 Screening Results

Provided to the Juneau-Douglas North Crossing PEL Study and Technical Advisory Committee 3/17/23 in response to the request for comments on the application of Level 1 screening detailed in the 3/2/23 Technical Memorandum on Level 1 Screening Results.

Level 1 Screening Process & Application of Screening Criteria

- 1) Table 2 (page 5) summarizes the results of screening each alternative for the Additional Goals. For the goal of maintaining the visual, cultural, and scenic identity of Juneau and Douglas Island, the West Sunny Point, East Sunny Point, and Vanderbilt alternatives are assigned a value of “medium.” These values should be changed to “low” for the following reasons:
 - a. The stretch of Gastineau Channel encompassing the Sunny Point and Vanderbilt Creek alternatives was designated in CBJ’s 2008 Comprehensive Plan as a scenic corridor/viewshed (see enclosed figure). The community of Juneau highly values this scenic viewshed and that recognition justifies evaluating this additional goal as “low” for the Sunny Point alternatives and the Vanderbilt alternative.
 - b. The community of Juneau further demonstrated its interest in the Refuge in the CBJ Lemon Creek Area Plan.
 - i. The plan notes that throughout the plan’s development, the public identified the Refuge as a key resource of the Lemon Creek area for their habitat needs and their viewsheds (p. 55, Lemon Creek Area Plan). The plan also outlines that access to the Refuge is limited in the Lemon Creek Area and highlights the need for the development of a coastal trail to provide additional access; planning for this “multimodal trail” is currently underway.
 - ii. This information from the Lemon Creek Area Plan further illustrates the importance of the undisturbed Refuge in the Sunny Point/Lemon Creek/Vanderbilt region for public access and viewsheds. Placing a second crossing in this vicinity would significantly damage the visual and scenic identity of the Lemon Creek neighborhood and the whole Juneau community, as well as undermining current plans to develop recreational resources in this area.
 - c. These locations represent some of the widest points of the Refuge, resulting in a significant stretch of open estuarine wetlands, uninterrupted by human development. This open viewshed is particularly unique in Southeast Alaska, where so much of our landscape is dominated by steep mountains and towering trees – only 2% of land area is comprised of tidal estuaries (Ecological Atlas of Southeast Alaska, Audubon Alaska). This iconic view is seen by visitors flying into Juneau International Airport, each tourist traveling from downtown, and, most importantly, every resident who travels on Egan Drive for work, errands, or other daily activities. Placing a large crossing structure at one of these locations would dramatically decrease the visual, cultural, and scenic identity of our community.
 - d. Locating a crossing structure at one of these locations would significantly disrupt recreational uses of the Refuge. The Refuge is a unique recreational destination in Juneau, due to its flat elevation profile and open landscape, offering opportunities

unavailable at most of Juneau's parks and trails. A crossing structure would restrict access to the Refuge by creating a barrier impassable by Refuge users, as well as degrading users' ability to enjoy an undisturbed natural environment, significantly impacting the cultural identity of Juneau as a community with easy access to a diversity of outdoor recreation opportunities.

- 2) Table 3 (page 6) states that all of the alternatives are "Consistent with plans, policies, and development code." Review of this criterion should be updated to reflect that none of the alternatives within the Refuge are consistent with several key planning documents and should be marked "N." The alternatives within the Refuge are inconsistent with the following planning documents:
 - a. **Mendenhall Wetlands State Game Refuge Management Plan:** The Refuge's Management Plan states that the Refuge was "established by the Alaska Legislature in 1976 to protect natural habitat and game populations, especially waterfowl, as well as to provide recreation." All alternatives crossing through the Refuge are inconsistent with Refuge's Management Plan, which provides guidance on managing the Refuge to achieve this purpose.
 - b. **USACE Mitigation Plans:** The West Sunny Point and East Sunny Point alternatives are inconsistent with the approved USACE mitigation plans, including long-term management plans, in place for the as high-functioning estuarine wetland mitigation sites around Sunny Point.
 - c. **2013 CBJ Comprehensive Plan:**
 - i. The alternatives located within the Refuge's boundaries are also inconsistent with Policy 9.3 of the 2013 CBJ Comprehensive Plan, which states "*To preserve as public natural areas those publicly-owned lands and shoreline areas that possess important recreational, scenic, fish and wildlife, and other environmental qualities or are subject to natural hazards.*"
 - ii. The Plan notes in Chapter 9 that "Natural, undeveloped areas...are an essential component of the CBJ's community form and identity. They should be maintained and enhanced." The Mendenhall Wetlands State Game Refuge is the largest and most publicly-visible natural area in Juneau. Construction of transportation infrastructure within the Refuge would be inconsistent with Policy 9.3 of the Comprehensive Plan and significantly damaging to the visual, cultural, and scenic identity of the community.
 - d. **Lemon Creek Area Plan:** The Lemon Creek Area Plan notes that throughout the plan's development, the public identified the Refuge as a key resource of the Lemon Creek area for their habitat needs and their viewsheds (p. 55, Lemon Creek Area Plan). The Plan also outlines that access to the Refuge is limited in the Lemon Creek Area and highlights the need for the development of a coastal trail to provide additional access. Alternatives located at the Sunny Point and Vanderbilt locations are inconsistent with this plan.
- 3) Table 3 (page 7) notes that all of the alternatives received "high" levels of public support, except for the Twin Lakes and Salmon Creek alternatives. Because the figures illustrating levels of public support for the different alternatives presented by the Study Team are not reflective of the email comment log that was shared with the Technical Advisory Committee, it is not possible for

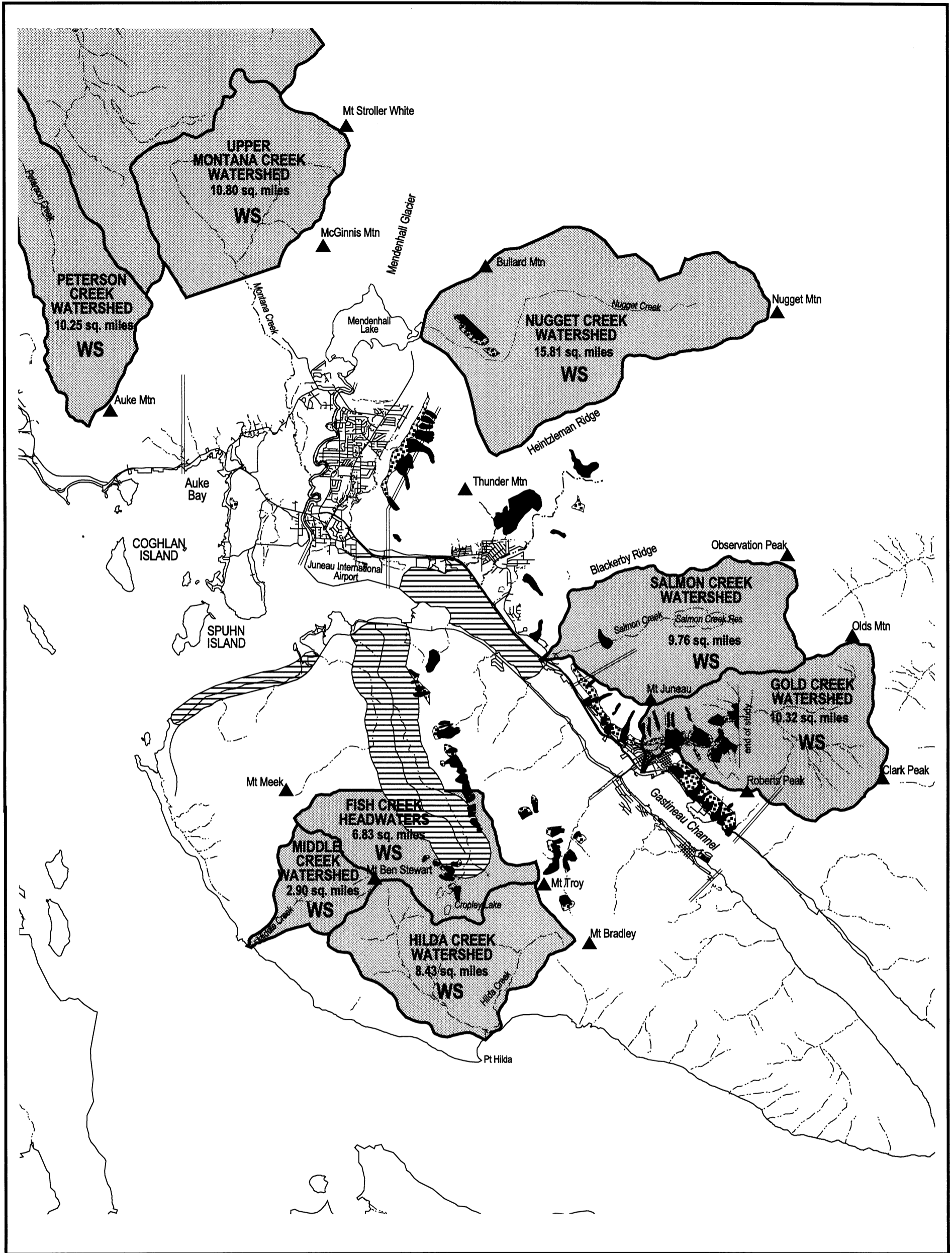
the Advisory Committees to determine whether this is an accurate assessment without being provided the results of the survey. When will the full survey results be shared with the Technical Advisory Committee?

- 4) The narratives for each alternative screened provides statements about each alternative's impact on travel times, presumably based on the origin-destination study. This study must be made publicly available so that stakeholders and the public can understand the analysis supporting these statements.
- 5) Please review the Level 1 Alternative Screening Results narratives to ensure consistency across the discussions of each alternative. For example:
 - a. The discussion of the Mendenhall Peninsula alternative states that this alternative would result in "adverse visual impacts associated with the construction of a road at the top or [sic], or part way up a ridge" but the discussion of none of the other alternatives discusses the adverse visual impacts of a crossing structure across the Mendenhall State Game Refuge. It is unequal to provide a concrete statement about the adverse impacts of one location (Mendenhall Peninsula) and defer to "further analysis" for the other locations (e.g., page 13, page 15, etc.).
 - b. The advantages/disadvantages narratives for the West and East Sunny Point alternatives should be reviewed for consistency, given the similarities between the two alternatives.
 - c. The discussion of the Twin Lakes alternative identifies the potential intersection with Egan Drive as a disadvantage of this alternative. All other locations requiring "new" intersections should either have this considered in their analysis (e.g., West and East Sunny Point), or this disadvantage for the Twin Lakes alternative should be removed.
- 6) In all reports, technical memoranda, and other materials, please note that the Southeast Alaska Land Trust's properties on the Mendenhall Peninsula, around Sunny Point, and on Hendrickson Point are wetland mitigation sites under Section 404 of the Clean Water Act, in addition to being conservation properties (e.g., pages 12 and 15). It is important for all stakeholders and decision-makers to understand that impacts to these sites would result in significant additional regulatory complexity, time, and cost.
 - a. In addition, these added regulatory complexities and increased costs should be noted when relevant. For example, on page 15 impacting SEALT conservation property is noted as a disadvantage of the East Sunny Point alternative and this should be expanded to state: "An alignment that meets design standards for horizontal curves will likely impact Southeast Alaska Land Trust conservation properties and wetland mitigation sites, resulting in increased costs and permitting complexity."
- 7) Based on the appendix tables, it appears that the Level 1 screening for impacts to the hydrologic connectivity at each alternative relied on Figure 11 in the Environmental Setting Report. This figure seems to focus on streams and freshwater inputs. Screening for hydrologic connectivity should include consideration of the tidal flows through the channel, as these saltwater inputs sustain the estuarine wetlands. Are you able to re-screen each alternative in Level 1 screening with this in mind? If not, how will you be incorporating consideration of saltwater inputs into Level 2 screening?
- 8) At the joint advisory committee meeting on Monday March 6, it seemed that each alternative had additional considerations that weren't presented in the Technical Memo. For example, the Study Team stated that there was some concern about the West Sunny Point alternative's

impacts to the airport, which could be a barrier to construction at that location. How will those additional considerations be documented so that there is public validation for the findings of this study?


Preparing for Level 2 Screening

- 1) In reports, technical memoranda, and other materials, please provide a definition of Section 4 (f) and other resources with important legal designations.
- 2) How are you going to consider indirect affects to the natural environment? For example, the degree of impact is different in different locations. A structure with the exact same size of footprint at Sunny Point and Salmon Creek would score exactly the same in your Level 2 screening criteria (as written), but would in reality have dramatically different impacts on the natural environment, Refuge, and habitat.
- 3) In Level 2 screening, how will you include impacts to Refuge access points, which will affect hunting, fishing, subsistence, and recreational activities for users in the project area?
- 4) In Level 2 screening, how will you be taking into consideration the costs and challenges of replacement for impacts to our mitigation sites when evaluating the West and East Sunny Point alternatives? It is important that stakeholders and decision makers are made aware of the regulatory complexities, legal challenges, and significant costs associated with these alternatives.
 - a. The SEALT mitigation sites provide carefully matched in-kind compensatory mitigation for impacts resulting from the Juneau airport's expansion, as outlined in that project's USACE permit. If the regulators were to approve a scheme to replace these mitigation sites, replacement mitigation sites that provide in-kind mitigation for the airport project would need to be identified and approved by both SEALT and the regulators.
 - b. There are few, if any, appropriate parcels within the Mendenhall Wetlands complex that could provide similar wetland function to these special, unique, and rare aquatic sites. For this reason, offsetting the impacts to existing mitigation sites would be a major project to ensure that the permit for the Juneau airport's expansion remains compliant. The functional impacts resulting from a second bridge between Juneau and Douglas Island would then have to be permitted and mitigated separately. We are challenged to see how the costs would be calculated adequately, let alone the functional analysis and planning necessary for "double mitigation".
 - c. In order for decision-makers at the municipal and state levels to make an informed choice about the alternatives, their requirements, and their expense, how are you planning to account for the time, money, and work products required for impacting SEALT's mitigation sites?
- 5) We recommend that the PEL Study Team familiarize themselves with the USACE permitting process and compensatory mitigation under Section 404 of the Clean Water Act in order to fully capture the costs associated with providing mitigation for a project of this scale. It is likely that compensatory mitigation will be a not-insignificant cost for a project of this magnitude and this should be reflected in the analysis of whether each alternative is feasible.



-  Watersheds
-  Scenic Corridor/Viewshed
- Landslide/Avalanche Hazards**
-  High Landslide/Avalanche Hazard
-  Moderate Landslide/Avalanche Hazard
-  Subarea Boundary

**City & Borough of Juneau
COMPREHENSIVE PLAN**


City & Borough of Juneau
Alaska's Capital City

Adopted October 20th, 2008
Ordinance No. 2008-30

NOTE: Potential geophysical hazards, wetlands, flood zones, natural resource setbacks or other features which can affect properties may be present. CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR DETAILED INFORMATION.

