

Appendix B

Enforceable Policies and Designations Cross Reference Table

Enforceable Policy Number, Name and page	Resource Inventory & Analysis	Issues, Goals, and Objectives	Maps	Appndx.
(2.1), Coastal Development, V-1,pg. 60	V-1, pp 9, V-2 pp 27	V-1, pp 59-60	n/a	V-1,D
(2.2), Coastal Development, V-1,pg. 60	V-1, pp 9, V-2 pp 27	V-1, pp 59-60	n/a	V-1,D
(2.3), Coastal Development, V-1,pg. 60	V-1, pp 9, V-2 pp 27	V-1, pp 59-60	n/a	V-1,D
(2.4), Coastal Development, V-1, pg.60	V-1, pp 9, V-2 pp 27	V-1, pp 59-60	n/a	V-1,D
(3.1), Special Waterfront Areas, V-1, pg. 63	V-1, pp 9, V-2 pp 27	V-1, pp. 61-63	V-1, pp. 25-38	V-1,D
(3.2), Special Waterfront Areas, V-1, pg. 64	V-1, pp 9, V-2 pp 27	V-1, pp. 61-63	V-1, pp. 25-38	V-1,D
(3.3), SWA Permissible Uses, General, V-1, pg. 64	V-1, pp 9, V-2 pp 27	V-1, pp. 61-63	V-1, pp. 25-38	V-1,D
(3.4), SWA Special Policies, Tee Harbor, V-1, pg. 66	V-1, pp 9, V-2 pp 27	V-1, pp. 61-63	V-1, pp. 25-38	V-1,D
(3.5), SWA Special Policies, Gold Creek, V-1, pg. 66	V-1, pp 9, V-2 pp 27	V-1, pp. 61-63	V-1, pp. 25-38	V-1,D
(3.6), SWA Special Policies, Thane, V-1, pg. 66	V-1, pp 9, V-2 pp 27	V-1, pp. 61-63	V-1, pp. 25-38	V-1,D
(3.7), SWA Special Policies, Salmon Creek, V-1, pg. 66	V-1, pp 9, V-2 pp 27	V-1, pp. 61-63	V-1, pp. 25-38	V-1,D
(5.1), Rec., Tourism, Coastal Access, V-1, pg. 71	V-1, pp 9, 39	V-1, pp. 69-71	V-1, pp 25-39	V-1,D
(5.2), Rec., Tourism, Coastal Access, V-1, pg. 72	V-1, pp 9, 39	V-1, pp. 69-71	V-1, pp 40-54	V-1,D
(5.3), Rec., Tourism, Coastal Access, V-1, pg. 72	V-1, pp 9, 39	V-1, pp. 69-71	V-1, pp 40-54	V-1,D
(5.4), Rec., Tourism, Coastal Access, V-1, pg. 72	V-1, pp 9, 39	V-1, pp. 69-71	V-1, pp 40-54	V-1,D
(5.5), Rec., Tourism, Coastal Access, V-1, pg.72	V-1, pp 9, 39	V-1, pp. 69-71	V-1, pp 40-54	V-1,D
(7.1), Utilities and Transportation, V-1, pg. 74	V-1, pp 9, 39	V-1, pp.74	n/a	V-1,D
Downtown AMSA (14.1), Seawalk, V-1, pg. 85	V-1, pp 9	V-1, pp.83-85	V-1, pg. 8	V-1,D
WM(4), Wetlands Management, V-2, pg. 38	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(5), Wetlands Management, V-2, pg. 38	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(6), Wetlands Management, V-2, pg. 38	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*

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WM(7), Wetlands Management, V-2, pg. 38	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(8), Shoreline Corridor Designation Rule, V-2, pg. 39	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(9), Residential Road Corridor Designation Rule, V-2, pg. 40	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(10), Best Management Practices, V-2, pg. 40	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(11), Wetlands Management, V-2, pg. 41	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(12), Wetlands Mitigation, V-2, pg. 41	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(13), Wetlands Mitigation, V-2, pg. 42	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(14), Wetlands Mitigation, V-2, pg. 43	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
WM(15), Mitigation Bank, V-2, pg. 43	V-2, pp. 7-33	V-2, pp. 1-6	V-2, App. C	V-2,B*
* Juneau Wetlands Functions and Values, September 1987; Juneau Wetlands Functions and Values Map Appendix, September 1987				
Resource Inventory & Analysis				
Designation, Page, # policies		Maps		Appndx.
Designated Recreational Use Areas, RTCA(1)-(5)	V-1, pg. 39	V-1, pp. 40-54		V-1,D
Designated Important Habitat, WM(4) -(14)	V-2,Foreword pg. vi; pp. 7-33	Wetland Unit Maps: Management and Important Habitat Designations		V-2,C

Policy Justification

Enforceable Policies are legally binding components of the Alaska Coastal Management Program and are applicable to public and private activities.

Under State statutes, the enforceable policies of the district coastal management plan must

- (1) be clear and concise as to the activities and persons affected by the policies, and the requirements of the policies;
- (2) use precise, prescriptive, and enforceable language; and
- (3) not address a matter regulated or authorized by state or federal law unless the enforceable policies relate specifically to a matter of local concern.

A matter of local concern is a specific coastal use or resource within a defined portion of the district's coastal zone that is

- (1) demonstrated as sensitive to development;
- (2) not adequately addressed by state or federal law; and
- (3) of unique concern to the coastal resource district as demonstrated by local usage or scientific evidence.

Under state regulations, district enforceable policies that address matters included in the statewide standards must be a matter of local concern in order to be approved.

District enforceable policies are limited to the following: Coastal development, designated natural hazard areas, coastal access, designated sites for major energy facilities, utility routes and facilities, sand and gravel extraction, designated subsistence use areas, transportation routes and facilities, designated areas of recreational use and tourism, designated areas for facilities related to commercial fishing and seafood processing, designated important habitats, or designated historic, cultural or archeological areas.

Under each of the sections that follow, enforceable policies reflect matters of local concern as well as the Alaska Coastal Management Program requirements. The District Plan supplements federal and state land and water management regulations affecting the coastal area. The program also provides guidance for all development within the coastal area. The policies provide for the development and operation of industrial, commercial, residential, recreational, and other uses of the coastal area in a manner that protects the environment and the quality of life in the City and Borough of Juneau.

COASTAL DEVELOPMENT

A. APPLICATION

Enforceable policies apply to development in or adjacent to coastal waters throughout the entire coastal resource district.

B. ISSUES OF LOCAL CONCERN

Juneau is situated in a spectacular and varied natural setting. Its aquatic and terrestrial resources are of exceptional economic, aesthetic, and recreational value, but also have numerous implications for resource and land use planning and management. In addition to their distinctive characteristics, each resource is interdependent in a complex and often highly sensitive environment.

The major port facilities for commercial and industrial goods and materials are located on the southern part of the downtown waterfront. Because of the geography and development pattern of that area, room for expansion is limited. In addition, traveling up the Gastineau Channel is a significant detour for most barge traffic. Truck traffic to and from the port adds to the noise and congestion in the downtown area.

Port development continues to be of importance to both commerce and recreation throughout the CBJ. Tour ship visits are increasing every year; tour vessel lengths are increasing as well as the number passengers carried. Moorage for tour ships and upland support areas have become extremely important to the continued growth of the tour industry and local private enterprise.

Recreational boat use is also on the increase and the CBJ Harbormaster has a waiting list of approximately 150 boats borough-wide. Summer season private boat visits are also on the increase with larger, ocean-going yachts becoming more familiar in the Juneau area.

Ferry traffic is increasing in the Auke Bay area as the Alaska Marine Highway expands the number of voyages to accommodate increasing “drive-on” tourists during the summer season. From time to time, Auke Bay is also frequented by ore ships serving Skagway and Greens Creek.

In the short term, it is important to expand and improve on the existing waterfront industrial sites within the CBJ. In the long term, development of new port facilities which are more accessible to marine traffic of Southeast Alaska would be more desirable. An appropriate site should provide protected docking space and adequate land for storage and industrial facilities.

Growth is likely to occur among resource-based industries such as mineral extraction and processing, fisheries, and timber. Land with good access to maritime shipping channels is required to support this development.

Local and state governments recognize the importance of coastal resources to the environmental quality and economic vitality of the CBJ. To ensure their preservation and appropriate development, the state requires each local jurisdiction to complete a district coastal management plan. Most of the developable land in the CBJ is within the area defined as the coastal zone. Environmentally sensitive habitats and waterfront areas which are particularly subject to intense development pressures are downtown Juneau, Auke Bay, North Douglas and Echo Cove.

ACMP laws require that district coastal management programs carefully manage the development of shoreline areas and place highest priority on reserving waterfront areas for water-dependent and water-related uses. The obvious overlap between a local Comprehensive Plan for the CBJ and a coastal management program necessitates integrating the two approaches.

C. RESOURCE INVENTORY & ANALYSIS

Refer to Volume I, Appendix D for demonstration of sensitivity and uniqueness.

D. ADEQUACY OF EXISTING LAWS

Prioritization of Uses. The statewide coastal development standard directs coastal districts to prioritize uses and activities in the coastal area based on whether the uses are water dependent, water-related, or neither but without an inland alternative. These terms are broad in scope and an enforceable policy that defines which uses or activities in the district fall into each of the three categories is making the broad standard more specific.

Placement of Structures and Discharge of Dredged or Fill Material. The coastal development standard requires compliance “at a minimum” with COE regulations, 33 C.F.R. Parts 320-323. These regulations provide the COE with general permitting authority over the placement of structures and discharge of dredged or fill material into navigable waters; the laws are broad in scope and general in their application. The enforceable policies that relate to this standard provide more specificity to ensure that local issues are addressed.

SPECIAL WATERFRONT AREAS

A. APPLICATION

Policies apply to the JCMP Special Waterfront Area Map, dated December 1, 1990. This map series was updated to comply with the Mapping guidelines and can be found in Volume I, pp. 25-38.

B. ISSUES OF LOCAL CONCERN

Juneau is situated in a spectacular and varied natural setting. Its aquatic and terrestrial resources are of exceptional economic, aesthetic, and recreational value, but also have numerous implications for resource and land use planning and management. In addition to their distinctive characteristics, each resource is interdependent in a complex and often highly sensitive environment.

The major port facilities for commercial and industrial goods and materials are located on the southern part of the downtown waterfront. Because of the geography and development pattern of that area, room for expansion is limited. In addition, traveling up the Gastineau Channel is a significant detour for most barge traffic. Truck traffic to and from the port adds to the noise and congestion in the downtown area.

Port development continues to be of importance to both commerce and recreation throughout the CBJ. Tour ship visits are increasing every year; tour vessel lengths are increasing as well as the number passengers carried. Moorage for tour ships and upland support areas have become extremely important to the continued growth of the tour industry and local private enterprise.

Recreational boat use is also on the increase and the CBJ Harbormaster has a waiting list of approximately 150 boats borough-wide. Summer season private boat visits are also on the increase with larger, ocean-going yachts becoming more familiar in the Juneau area.

Ferry traffic is increasing in the Auke Bay area as the Alaska Marine Highway expands the number of voyages to accommodate increasing “drive-on” tourists during the summer season. From time to time, Auke Bay is also frequented by ore ships serving Skagway and Greens Creek.

In the short term, it is important to expand and improve on the existing waterfront industrial sites within the CBJ. In the long term, development of new port facilities which are more accessible to marine traffic of Southeast Alaska would be more desirable. An appropriate site should provide protected docking space and adequate land for storage and industrial facilities.

Growth is likely to occur among resource-based industries such as mineral extraction and processing, fisheries, and timber. Land with good access to maritime shipping channels is required to support this development.

Local and state governments recognize the importance of coastal resources to the environmental quality and economic vitality of the CBJ. To ensure their preservation and appropriate development, the state requires each local jurisdiction to complete a district coastal management plan. Most of the developable land in the CBJ is within the area defined as the coastal zone. Environmentally sensitive habitats and waterfront areas which are particularly subject to intense development pressures are downtown Juneau, Auke Bay, North Douglas and Echo Cove.

C. RESOURCE INVENTORY & ANALYSIS

Refer to Volume I, Appendix D for demonstration of sensitivity and uniqueness.

D. ADEQUACY OF EXISTING LAWS

Increased specificity is needed to determine whether a specific land or water use or activity will be allowed within the special management area; to protect significant natural resources (the public use resource); and to provide for coastal-development economic growth and improved predictability in governmental decision making (as permitted by 11 AAC 114.270(g) and 11 AAC 114.400).

Placement of Structures and Discharge of Dredged or Fill Material. The coastal development standard requires compliance “at a minimum” with COE regulations, 33 C.F.R. Parts 320-323. These regulations provide the COE with general permitting authority over the placement of structures and discharge of dredged or fill material into navigable waters; the laws are broad in scope and general in their application. The enforceable policies that relate to this standard provide more specificity to ensure that local issues are addressed.

RECREATION, TOURISM & COASTAL ACCESS

A. APPLICATION

Policies apply to recreation and tourism use areas designated by the district under 11 AAC 114.250(c) or (d) (refer to maps contained in Volume I, pp. 25-39); policies relating to coastal access apply to, from and along coastal waters throughout the entire coastal district

B. ISSUES OF LOCAL CONCERN

Parks and Recreation

The forms of recreation chosen by residents and visitors in Juneau are as diverse as the population. Many people choose to recreate in developed parks and facilities, both indoor and

outdoor. Others choose to spend time in natural areas, where the existence of minimal improved facilities is the most important element. It should be recognized that providing a broad range of recreational experiences involves a cooperative effort between the local, state and federal government.

In 2003 the Parks and Recreation Department updated their long range plan. The “Juneau Area Recreation Plan” (1982), contained the following recommendations:

1. Designate appropriate municipal lands for recreation.
2. Develop a Mendenhall Valley indoor recreation facility.
3. Acquire land on the west bank of the Mendenhall River as recreational open space.
4. Develop cooperative agreements with state and federal government for management of U.S. Forest Service land and state tidelands.

In planning for the dispersed portion of recreational opportunities, the CBJ Parks and Recreation Department has worked closely with the State Division of Parks and Outdoor Recreation, the U.S. Forest Service, the National Park Service, multiple citizen groups and individuals to produce a vision document called the “Juneau Trails Plan” (1992). As a comprehensive evaluation of all the trails in the Juneau area regardless of land ownership or management authority, this document identifies a wide spectrum of actions from improvement of existing trail conditions, to suggestions for construction of new trails or back-country cabins.

In recent years, there has been increasing commercial use of public trails in connection with the burgeoning tourist population. This use appears to be accelerating, and there seems to be increasing acceptance of the need to regulate this use so as to protect the resource and the quality of the recreation experience for local residents and tourists alike.

There is a lack of adequate neighborhood and community parks and facilities in major areas, including the Mendenhall Valley and Lemon Creek. There is an immediate need to acquire, designate, and maintain public access to beaches and shoreline areas.

The Eaglecrest ski area, located on Douglas Island, hosts 45,000 skier visits annually. Eaglecrest is an important winter recreational resource to many Juneau families. It is believed that the second channel crossing would increase skier visits.

Open Space

Open space is an essential component of Juneau’s community form and identity. It should be maintained and enhanced, especially in relation to future development. Shoreline areas are a major coastal resource, which also function as valuable natural recreational resources. Most are publicly owned.

In several community wide surveys, CBJ residents indicated a desire to preserve open space and natural resources, particularly those with significant environmental and recreational values.

The West Mendenhall Valley Greenbelt has been established, beach access routes have been identified and signs put in place, and there have been improvements made for recreational access to Echo Cove and Amalga Harbor.

Valuable habitat areas within the CBJ require retention of vegetation and water resources. Inadequately regulated development degrades scenic resources. The quality of residential developments is enhanced by standards and policies to preserve open space.

Demand for outdoor recreational opportunities is related to tourism and residential growth. Tourism is increasing at an estimated rate of 10 to 15 percent annually. The challenge is to provide a quality experience for the visitor with improved facilities and infrastructure while addressing concerns from the permanent population about expanding impacts caused by more and different tourism opportunities.

C. RESOURCE INVENTORY & ANALYSIS

Refer to Volume I, Appendix D for demonstration of sensitivity and uniqueness.

D. ADEQUACY OF EXISTING LAWS

In order to have enforceable policies related to recreation and tourism, a district must designate an area for that use. For a designated recreation and tourism area, the “matter of local concern” test does not apply unless a proposed enforceable policy addresses a matter regulated or authorized by some other state or federal law not enumerated in the statewide standards. State and federal laws that deal with recreation and tourism are broad in scope and general in application; district enforceable policies enacted for a designated area provide specific management measures for addressing uses or activities within the area.

UTILITIES & TRANSPORTATION

A. APPLICATION

Utility and transportation policies apply throughout the entire coastal resource district.

B. ISSUES OF LOCAL CONCERN

Citizens have indicated repeatedly their desire to protect the scenic beauty and environmental values. The adverse environmental impacts of urban uses can be mitigated with well designed utility and transportation systems that protect the public health and lessen possible damage to the region’s groundwater and wildlife resources.

Balancing utility and transportation needs and environmental concerns is achievable. The first preference is improvements that avoid or minimize impacts to the environment, but all proposed changes will be weighed and evaluated in terms of their impacts.

Utility facilities-- water service, sewer services, earth retention structures and storm drainage systems--are important to the health, safety and economic well-being of Juneau.

Due to slope and soil conditions, many areas not served by sewer are marginally suitable for onsite septic systems. Due to a lack of resources, the Alaska Department of Environmental Conservation (DEC), which is responsible for local enforcement, cannot adequately monitor the installation and maintenance of septic systems.

Disposal of solid waste is an essential community service. Assurance that solid waste disposal occurs in an aesthetic, safe and environmentally-sound manner is in the public interest.

Overall, the surface transportation system in Juneau is in fair condition. The biggest shortcomings of the existing transportation system involve travel modes such as bicycles, pedestrians and transit. For most of today's trips, surface transportation in Juneau relies on the automobile. Planning for the future needs to provide for continued use of the automobile and interconnecting other modes to broaden our transportation options.

Juneau can offer an excellent quality of life to its residents. Improved transportation opportunities that enhance livability need to be pursued. Surface transportation relies on interconnected modes of travel. Needed transportation elements and connections are absent from the existing system, including bridges, waysides, transit shelters, and pathway links.

Juneau's transportation system must provide people with more transportation choices. Transportation is more than just vehicles and pavement. Bicycles provide a low-cost alternative to automobiles. Surface transportation needs to be improved so that it works as well for bicyclists as it does for other vehicle operators. Travel by foot needs to be safe and convenient.

As Southeast Alaska's largest city, Juneau can improve its role as a regional transportation and service center by improving its access to this transportation network. There is strong local support for increasing ferry service to and from other points in Southeastern Alaska, thus expanding Juneau's role as a regional center.

C. RESOURCE INVENTORY & ANALYSIS

Refer to Volume I, Appendix D for demonstration of sensitivity and uniqueness.

D. ADEQUACY OF EXISTING LAWS

The statewide transportation and utility routes and facilities standards are limited to addressing impacts to surface and groundwater drainage patterns, disruption in known or reasonably foreseeable wildlife transit, and blockage of existing or traditional access. Enforceable policies that relate to these standards provide more specific measures to address route and facilities local issues and concerns. Other state and federal laws that deal with the permitting of transportation and utility routes and facilities are broad in scope and general in their application.

HABITAT

A. APPLICATION

Policies apply to important wetland habitats designated by the district under 11 AAC 114.250(h).

Refer to the Foreword contained in Volume II for a detailed justification for the wetlands policies.

B. ISSUES OF LOCAL CONCERN – not applicable for policies developed as part of special area management plans.

C. RESOURCE INVENTORY & ANALYSIS

Sensitivity and uniqueness need not be documented for policies developed as part of special area management plans.

DOWNTOWN AMSA

A. APPLICATION

Policies apply within the AMSA. This map was updated to comply with the Mapping guidelines and can be found in Volume I, pp. 8.

B. ISSUES OF LOCAL CONCERN – not applicable for policies developed as part of special area management plans.

C. RESOURCE INVENTORY & ANALYSIS

Sensitivity and uniqueness need not be documented for policies developed as part of special area management plans.

D. ADEQUACY OF EXISTING LAWS

Since there are state and federal laws that may regulate or authorize the matters addressed in the special area management plan's enforceable policies, the local concern test is applied. The enforceable policy (seawalk policy) for the AMSA in effect on July 1, 2004 satisfies the requirements of AS 46.40.070(a)(2)(C)(i) and (iii) (11 AAC 114.270(i)). In regard to the adequacy of existing law, the plan's enforceable policy relates to coastal development, placement of structures, and coastal access. As previously noted, there are state and federal laws and statewide standards that address these matters; however, most are broad in scope and general in application. No laws deal specifically with a seawalk. Increased specificity is needed to determine whether a specific land or water use or activity will be allowed within the AMSA; to protect significant natural resources (the public use resource); and to provide for coastal-development economic growth and improved predictability in governmental decision making (as permitted by 11 AAC 114.270(g) and 11 AAC 114.400).