



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Borough Assembly Regular Meeting

Monday, February 06, 2023

12:00 PM

Assembly Chambers

You are invited to a Zoom webinar.
When: Feb 6, 2023 12:00 PM Alaska
Topic: February 6, 2023 Assembly Meeting

Please click the link below to join the webinar:

[https://petersburgak-
gov.zoom.us/j/89988901759?pwd=MUhsUUM5czB0OThLSkxWSmZ4eGhrQT09](https://petersburgak.gov.zoom.us/j/89988901759?pwd=MUhsUUM5czB0OThLSkxWSmZ4eGhrQT09)

Passcode: 685070

Or Telephone:

(720) 707-2699 or (253) 215-8782

Webinar ID: 899 8890 1759

Passcode: 685070

1. **Call To Order/Roll Call**
2. **Voluntary Pledge of Allegiance**
3. **Approval of Minutes**
 - A. **January 17, 2023 Assembly Meeting Minutes**
4. **Amendment and Approval of Meeting Agenda**
5. **Public Hearings**
6. **Bid Awards**
7. **Persons to be Heard Related to Agenda**

Persons wishing to share their views on any item on today's agenda may do so at this time.
8. **Persons to be Heard Unrelated to Agenda**

Persons with views on subjects not on today's agenda may share those views at this time.
9. **Boards, Commission and Committee Reports**
 - A. **Homelessness in Alaska Presentation**

Brian Wilson, Executive Director of the Alaska Coalition of Housing and Homelessness, at the request of the Housing Task Force, will give a presentation on

the impacts of homelessness in Alaska and how other communities address homelessness.

B. Housing Task Force - Land Trust

Housing Task Force Member Aulbach will report on the concept of a Land Trust in Petersburg.

C. Housing Task Force - Easily Developable Lots

Housing Task Force Chair and Assembly Member Kensinger will report on the idea to prepare lots for sale that can easily be hooked up to utilities.

D. Housing Task Force - Manufactured Homes

Housing Task Force Member Holmgrain will report on the idea of zoning/developing an area for manufactured homes.

10. Consent Agenda

A. BPO Elks Lounge #1615 2023/2024 Liquor License Renewal

The Elks Lounge has applied with the Alaska Alcohol & Marijuana Control Office for a liquor license renewal. The Assembly may support or protest the application. A protest may not be arbitrary, capricious or unreasonable.

11. Report of Other Officers

A. Petersburg Medical Center Update

PMC CEO Hofstetter will provide an update of medical center activities.

B. US Forest Service Update

District Ranger Born will provide an update on Forest Service activities.

12. Mayor's Report

A. February 6, 2023 Mayor's Report

13. Manager's Report

A. February 6, 2023 Manager's Report

14. Unfinished Business

A. Ordinance #2023-01: A Ordinance Amending Petersburg Municipal Code Sections 14.30.030 and 14.30.040 to Increase Certain Service Rates at the Mountain View Manor Assisted Living Facility - Third and Final Reading

If adopted, this ordinance will link the basic care per day assisted living service rates for self-pay residents to the amounts permitted by the federal government for Medicaid

Residential Supported Living and will increase the rate for basic cable TV at the facility to account for the increased cost of the service incurred by the Borough. Ordinance #2023-01 was unanimously approved in its first and second readings.

B. Ordinance #2023-02: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Parcel B, Block 302, Greenbelt Subdivision, Located at 10 N. 12th Street, from Open Space-Recreation (OS-R) to Commercial-1 (C-1) - Third and Final Reading

The Planning Commission recommends rezone of Borough parcel #01-006-431 from Open Space-Recreation to Commercial-1. The Petersburg Indian Association has filed an application to purchase the parcel if the rezone is approved by the Assembly. Ordinance #2023-02 was unanimously approved in its first and second readings.

15. New Business

A. Resolution #2023-01: A Resolution Authorizing the Borough Manager to Pursue Obtaining Ownership of the Papke's Landing Facilities Including the Dock, Floats, Launch Ramp, Associated Tidelands, and Uplands Adjacent to the Tidelands Property, Currently Owned by the State of Alaska

Resolution #2023-01 revises Resolution #2022-14 to update the Borough's intention to obtain the uplands through the Public and Charitable Use program rather than the Municipal Entitlement program, as directed by the Alaska Department of Natural Resources.

B. Resolution #2023-02: A Resolution Supporting the Southeast Alaska Troll Fishery and Urging the National Marine Fisheries Service and the Alaska Department of Fish & Game to Commit the Necessary Resources to Defend Alaska's Fisheries

The Assembly received a request from a local commercial power troller and board member of the Alaska Trollers Association to entertain a resolution in support of the Southeast Alaska Troll Fishery's Chinook fishing season.

C. Housing Task Force - Petersburg Land Trust

The Housing Task Force is looking for direction from the Assembly to investigate the potential of developing a Land Trust in Petersburg. To see an example of a successful Land Trust, see Sitka's Community Land Trust at <https://www.sitkaclt.org/>.

D. Housing Task Force - Easily Developable Lots

The Housing Task Force is requesting the Assembly, through Manager Giesbrecht, direct Utility Director Hagerman to identify existing residentially zoned, wooded Borough lots that can be easily connected to water, sewer and electric services and bring them forward to the Assembly to consider offering for public sale.

E. Housing Task Force - Manufactured Home Area

The Housing Task Force is looking for Assembly direction to investigate and propose to the Planning Commission to develop an area specifically for manufactured homes in Petersburg.

F. Prioritize Petersburg's 2023 Federal Projects

The Assembly will prioritize the list of Petersburg's top federal projects approved at the October 3, 2022 Assembly meeting.

G. Trip to Washing, D.C. - Who and When

The Assembly will need to decide 1) who will accompany Mayor Jensen to Washington, D.C., as approved at the January 17, 2023 Assembly meeting, and 2) what dates will work best for the trip. Our Federal Lobbyist, Seb O'Kelly, has suggested the following dates for meetings with our Alaska Delegation and various federal agencies:

February 27 - March 1

March 23 - 24

April 26 - 27

H. Request for a US Army Corps of Engineers Study for a Future Harbor in Scow Bay

Harbormaster Wollen is seeking approval of a letter to the US Army Corps of Engineers requesting they initiate a study to construct a harbor basin, breakwater and all navigation features needed for a future harbor in Scow Bay.

I. Mayor Pro Tem for February 21, 2023 Assembly Meeting

Mayor Jensen and Vice Mayor Lynn will both be attending the Alaska Municipal League's Winter Legislative Conference in Juneau and will not be available for the February 21, 2023 Assembly meeting. Clerk Thompson requests the Assembly choose a Mayor Pro Tem to chair the meeting.

J. Reschedule the October 2, 2023 Assembly Meeting

Due to the October 3, 2023 Municipal Election, the Clerk's office requests the October 2, 2023 noon Assembly meeting be moved to either Friday, October 6 or Monday, October 9, at noon. The certification of the election results could take place at the same meeting.

16. Communications

A. Correspondence Received Since January 12, 2023

17. Assembly Discussion Items

A. Assembly Member Comments

B. Recognitions

18. Executive Session

The Assembly will adjourn to Executive Session to discuss Borough Manager Giesbrecht's 2022 performance evaluation.

19. Approval of Manager Giesbrecht's 2022 Performan Evaulation

20. Adjourn



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Borough Assembly Regular Meeting

Tuesday, January 17, 2023

6:00 PM

Assembly Chambers

1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 6:00 p.m.

PRESENT

Mayor Mark Jensen
Vice Mayor Bob Lynn
Assembly Member Thomas Fine-Walsh
Assembly Member David Kensinger
Assembly Member Donna Marsh
Assembly Member Jeff Meucci

EXCUSED

Assembly Member Scott Newman

2. Voluntary Pledge of Allegiance

The Pledge was recited.

3. Approval of Minutes

A. January 3, 2023 Assembly Meeting Minutes

The January 3, 2023 meeting minutes were unanimously approved.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Kensinger.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci

4. Amendment and Approval of Meeting Agenda

The meeting agenda was unanimously approved as submitted.

Motion made by Assembly Member Marsh, Seconded by Assembly Member Kensinger.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci

5. Public Hearings

A. Public Hearing for Ordinance #2023-01: An Ordinance Amending Petersburg Municipal Code Sections 14.30.030 and 14.30.040 to Increase Certain Service Rates at the Mountain View Manor Assisted Living Facility

No testimony was given.

B. Public Hearing for Ordinance #2023-02: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Parcel B, Block 302, Greenbelt Subdivision, Located at 10 N. 12th Street from Open Space-Recreation (OS-R) to Commercial-1 (C-1)

No testimony was given.

6. Bid Awards

There were no bid awards.

7. Persons to be Heard Related to Agenda

Persons wishing to share their views on any item on today's agenda may do so at this time.

John Murgas, representing himself, thanked the Assembly for working toward ownership of the Papke's Landing facility.

8. Persons to be Heard Unrelated to Agenda

Persons with views on subjects not on today's agenda may share those views at this time.

No views were shared.

9. Boards, Commission and Committee Reports

A. Housing Task Force

Jalyn Pomrenke, Joyce Cummings, and Annette Bennett, on behalf of the Housing Task Force, encouraged the Assembly to approve a Housing Needs Assessment be performed. The Assessment will increase options for applying for grant funds for housing issues.

B. Local Emergency Planning Committee

Assembly Member Meucci shared that the LEPC met for the first time since early 2020 on January 12, 2023 and provided a copy of the meeting minutes to the Assembly.

10. Consent Agenda

A. THE 420 Retail Marijuana Store License Renewal

The Assembly unanimously supported the renewal of THE 420's retail marijuana store license.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Marsh.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci

11. Report of Other Officers

A. U.S. Forest Service Update

USFS Ranger Born was not in attendance.

12. Mayor's Report

There was no written report for this meeting.

13. Manager's Report

A. January 17, 2023 Manager's Report

Manager Giesbrecht read his report into the record, a copy of which is attached and made a permanent part of these minutes.

14. Unfinished Business

A. Ordinance #2023-01: An Ordinance Amending Petersburg Municipal Code Sections 14.30.030 and 14.30.040 to Increase Certain Service Rates at the Mountain View Manor Assisted Living Facility - Second Reading

The Assembly unanimously approved Ordinance #2023-01 in its second reading.

Motion made by Assembly Member Meucci, Seconded by Vice Mayor Lynn.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci

B. Ordinance #2023-02: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Parcel B, Block 302, Greenbelt Subdivision, Located at 10 N. 12th Street, from Open Space-Recreation (OS-R) to Commercial-1 (C-1) - Second Reading

Ordinance #2023-02 was unanimously approved in its second reading.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Kensinger.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci

15. New Business

A. Petersburg Housing Needs Assessment

The Assembly approved to hire the consulting firm Agnew Beck to perform a Housing Needs Assessment for an amount not to exceed \$55,040.00 by a vote of 4-2.

Motion made by Assembly Member Kensinger, Seconded by Assembly Member Meucci.

Voting Yea: Mayor Jensen, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Meucci

Voting Nay: Vice Mayor Lynn, Assembly Member Marsh

B. Letter to the Alaska Department of Transportation and Public Facilities re: Papke's Landing

By unanimous roll call vote, the Assembly approved sending a letter to ADOT&PF requesting a potential cost sharing arrangement to acquire and install a new float and dock at Papke's Landing that will allow the facility to remain operational while the Borough works towards ownership of the facility.

Motion made by Vice Mayor Lynn, Seconded by Assembly Member Meucci.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci

C. Washington D.C. Trip

The Assembly unanimously approved a trip to Washington, D.C. this year to discuss Petersburg issues with our federal delegation and the U.S. Coast Guard.

Motion made by Assembly Member Fine-Walsh, Seconded by Assembly Member Kensinger.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci

16. Communications

A. Correspondence Received Since December 29, 2022

17. Assembly Discussion Items

A. First Assembly Meeting in October

Assembly Member Lynn and Clerk Thompson explained how hectic it is for the Clerk's office to prepare for and facilitate a noon Assembly meeting the day before the municipal election. Changing the date of the first Assembly meeting in October this year from Monday, October 2 to Friday, October 6 or Monday, October 9 will be an action item at the February 6, 2023 Assembly meeting.

B. Assembly Member Comments

No comments were shared.

C. Recognitions

There were no recognitions.

18. Adjourn

The meeting was adjourned at 7:22 p.m.



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

January 31, 2023

Petersburg Borough, City of Petersburg Via Email: dthompson@petersburgak.gov; bregula@petersburgak.gov Re: Notice of 2023/2024 Liquor License Renewal Application

Table with 4 columns: License Type, Licensee, Doing Business As, License Number. License Type: Club, Licensee: BPO Elks Lounge #1615, Doing Business As: BPO Elks Lounge #1615, License Number: 362

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Handwritten signature of Joan M. Wilson

Joan Wilson, Director amco.localgovernmentonly@alaska.gov



Petersburg Medical Center

Borough Assembly Report – February 2023 – Phil Hofstetter, CEO

FY24-28 Strategic Plan Goals, Priorities, and Benchmarks

1. Workforce Wellness
2. Community Engagement
3. Facility
4. Financial Wellness
5. Patient-Centered Care

Workforce Wellness: The professionalism and dedication of the PMC staff has been invaluable, despite facing burnout. They are willing to take on extra responsibilities and assist other departments, even while working to overcome challenges related to staff shortages and budget constraints. PMC continues to have a strong local workforce with 100% local medical staff and 95% total local workforce.

Community Engagement: PMC reports at January and February Borough Assembly meetings; KFSK Radio PMC Live each month; and participates in the SHARE Coalition.

Facility: Bettisworth North presented on February 1 to review preliminary space planning. Proposals for the RFP for Construction Manager/General Contractor (CM/GC) are due February 10.

Financial Wellness: The mid-year financial review demonstrated considerable post pandemic fluctuations monthly for FY23. Despite a high patient volume, the mid-year point of FY2023 showed the need to draw twice from cash reserves in December and January due to persistent inflationary cost expenses. The January finance committee

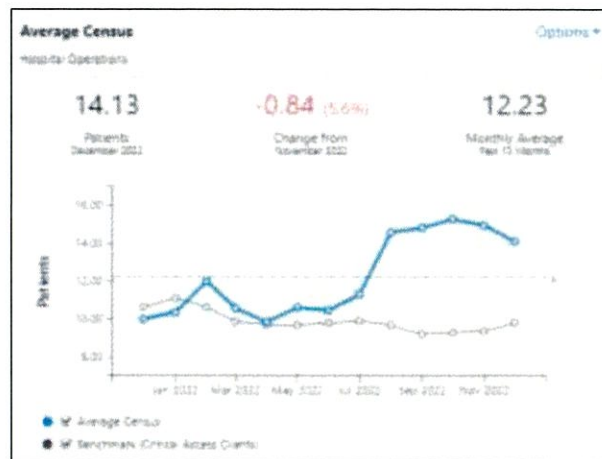
shows a YTD net loss of 10%. PMC will need to reduce expenses and optimize payor reimbursement and will need to be innovative to prevent service reduction and cost impacts to the community. Increased difficulties collecting from third-party payors are causing longer

Revenue Cycle - Millennium	Monday, 18-Dec-2022 to Tuesday, 17-Jan-2023	vs. November 2022
A/R > 90 Days	\$1,577,660.31 <small>Dollars</small>	↓ 56,358.51 (3.57%)
Average Daily Revenue	\$69,136.67 <small>Dollars</small>	↑ 2,731.87 (4.11%)
Charges	\$2,217,290.97 <small>Dollars</small>	↑ 113,268.00 (5.38%)
DNFB Dollars	\$1,508,475.60 <small>Dollars</small>	↑ 43,285.90 (2.85%)
Gross A/R Days	74.0 <small>Days</small>	↑ 9.1 (14.0%)

Account Receivable (A/R) days. We are also hearing about workforce challenges that are adding to the administrative workload, leading to significant delays in reimbursements from Medicaid, Medicare and other payors.

Economically, the local PMC workforce plays a significant role in the community's economy, accounting for a large percentage of workers in Petersburg. The PMC workforce generates approximately \$1 million in monthly wages for the community, totaling \$10 million in direct annual wages that have a major impact on Petersburg's economy.

Patient-Centered Care: The months of November and December saw the highest number of ER visits and patient days in the inpatient unit, largely due to flu and respiratory illnesses. The need for long term care has doubled in the past year following the lowest resident numbers during COVID. The Kinder Skog program for school-aged youth continues to be successful, and PMC is also providing school nurse functions and support in partnership with the Petersburg school district. PMC is offering the second year of the Lifestyle Balance Program from The University of Pittsburgh, aimed at reducing the risk of Type 2 Diabetes and heart disease.



**Mayor's Report
For
February 6, 2023 Assembly Meeting**

- 1. Southeast Conference Mid-Session Summit:** Mayor Jensen and Assembly Member Kensinger attended Southeast Conference's Mid-Session Summit in Juneau last week. Mayor Jensen will provide a brief report of the trip.



**Borough Manager's Report
Assembly Meeting 06 February 2023**

- ❖ Parks and Recreation will be hosting a Distance Based Indoor Spring Triathlon on Saturday, February 11th. Teams and individuals encouraged to join. Contact Parks and Recreation for more information. Registration in person or online.
- ❖ Water Polo and Water Volleyball will be added to the Aquatic Center schedule! Check it out if you are interested in jumping in! Schedule can be found on Parks and Rec website and Facebook page.
- ❖ Stephanie Payne submitted a Concept Paper to the Department of Energy for assistance with energy efficiency upgrades to the Community Center.
- ❖ If you are interested in coaching and/or assisting with a Youth Soccer program, please contact Julie Anderson at Parks and Recreation.
- ❖ Enrollments into our online Emergency Trauma Technician (ETT) Program are now closed, Students have until Feb 28th to finish. We have about 8 folks enrolled.
- ❖ Ryan's FF introduction course was pushed back to allow more time for students to enroll, the course starts Feb 11th and will run Saturdays 8am-5pm until March 25th
- ❖ The presenter for the Community Emergency Response Team (CERT) programs was ill when she was scheduled to come to town. We have arranged for her to present to the public on Sunday, Feb 26th at 4pm. The presentation will be shown at the assembly chambers and the public is also invited to join by zoom if they prefer. After the presentation, Michelle Torres will answer questions with input from The PVFD Director and Fire Chief Jim Stolpe. This group would be organized and trained to assist First Responders and other government entities in larger scale emergencies. Examples include Large Fires, Large scale search and Rescue ops, disaster response and other large threats to the community.
- ❖ DNR issued two decisions regarding the borough's land selections last week. Draft comments for both decisions will be submitted to the Clerk for Assembly review and approval at the next meeting:
 - A modified final decision to convey 550.378 acres at Thomas Bay. This decision corrects the error on conveyance of the subdivision roads. Previously, the DNR insisted the road acreage would be conveyed, but the reality is the roads were dedicated to the public when the subdivision was approved and cannot be conveyed by the state. The modified decision corrects this by reinstating the road acreage (65 acres) to the borough and the state retaining ownership of the roads. The borough will have management authority of the roads but is under no obligation to build or maintain any roads within the subdivision. There is a 30-day public comment period followed by a

20-day appeal period on this decision. If no appeal is filed, the decision goes into effect and DNR can reissue the draft patent that they have been working on since early November.

- A preliminary decision on 3,283 acres in various locations, including Fanshaw, Prowly Pt., Hood Point, SE Mitkof, and Sumer Strait was issued by DNR. The 30-day public comment period is now open. As part of the decision, the DNR is proposing to retain 513 acres at Prowly Pt.. This selection is adjacent to the existing right-of-way for the proposed Kake Access Road. Decision is attached.
- ❖ The Elderly Housing kitchen plumbing project has been completed. We will be looking to update the kitchen in the near future, once we are able to coordinate supplies, contractors and with Food Service.
- ❖ Derrick met with OSHA to discuss their inspection of Assisted Living, and the State's internal audit of the facility.
- ❖ SH Dredge is progressing. Hard digging continues to have the contractor looking to the USACE to provide direction per the contract. USACE reps came to town to evaluate project 1/17-19 and take samples and check progress. Western has roughly 16,200 cubic yards dumped (as of this morning). Staff continues to urge boat owners to communicate with the Harbor Office if there are questions.
- ❖ The project manager and supervisor from the USACE also came to town last week to look at Scow Bay as they work towards Federal budget development and the possibility of sharing the costs of a feasibility study for a basin/breakwater in that location! The feedback was positive.
- ❖ USCG dockside exams are being offered through Tuesday February 7th, sign ups at the Harbor Office.
- ❖ Harbor is working on tour ship schedule; it's looking about the same as last year.
- ❖ The Harbor Board meeting scheduled for Thursday 2/9 at noon in Assembly Chambers.
- ❖ PD is finalizing the upfit of the new police vehicles.
- ❖ Petersburg Police Department is working with Alaska Game & Fish, and Alaska State Wildlife Troopers on the increased wolf sightings and developing a plan.
- ❖ The Chief attended the Petersburg School Districts ALICE/Evacuation Emergency Drill.
- ❖ PD submitted a Federal Grant (\$51,000) to upgrade the Petersburg School Districts radio system so they can contact the police directly in the event of an emergency. This will also upgrade the district's ability to talk amongst each other.
- ❖ The library will be closed Monday Feb 6 – Thursday Feb 9 for inventory and staff training.
- ❖ The Public Works sander went belly up. Parts have been ordered and Motor pool will start working on it when they arrive.
- ❖ Jody and I met with Phil and Joel Pipkin (Hospital Controller) to discuss the next steps for Assisted Living. Jody provided updated financial and budget information.

**PETERSBURG BOROUGH
ORDINANCE #2023-01**

**AN ORDINANCE AMENDING PETERSBURG MUNICIPAL CODE SECTIONS 14.30.030 AND
14.30.040 TO INCREASE CERTAIN SERVICE RATES AT THE MOUNTAIN VIEW MANOR
ASSISTED LIVING FACILITY**

WHEREAS, Mountain View Manor Assisted Living Facility ("the Facility") has operated at a financial loss for a number of years and has been subsidized annually by the general fund; and

WHEREAS, service rates for residents of the Facility were last adjusted in early 2020; and

WHEREAS, since that date, Medicaid has annually established increases in per day services rates for Medicaid Residential Supported Living (RSL) which have not yet been adopted by the Borough; and

WHEREAS, Medicaid RSL payments are a significant source of income for the Facility; and

WHEREAS, the service rates charged for Medicaid RSL cannot exceed those charged to self-pay residents, and thus basic care service rates for self-pay residents should be coupled with Medicaid RSL service rates in order for the Borough to regularly maximize Medicaid payments received; and

WHEREAS, with the intent to establish service charges for the facility that will allow the Borough to generate revenue, to the maximum extent possible, to pay for operational and maintenance expenses at the facility, the Petersburg Borough Assembly wishes to link the basic care per day assisted living service rates for self-pay residents to the amounts permitted by Medicaid RSL, and to increase the rate for provision of basic cable TV at the facility to account for the increased cost of that service incurred by the Borough.

THEREFORE THE PETERSBURG BOROUGH ORDAINS as follows:

Section 1. Classification: This ordinance is of a permanent nature and shall be codified in the Petersburg Borough Code.

Section 2. Purpose: The purpose of this ordinance is to increase certain assisted living service rates.

Section 3. Substantive Provisions: Sections 14.30.030(B) and 14.30.040(A) of the Petersburg Borough Municipal Code shall be amended to read as follows (the proposed new language is in red bold and underlined, and the language to be deleted is struck through):

Chapter 14.30 - MOUNTAIN VIEW MANOR ELDERLY HOUSING AND ASSISTED LIVING FACILITY

14.30.030 - Assisted living rental rates, food and service charges.

[There are no changes to paragraph A]

B. Residents of the assisted living units with care plans requiring assistance shall pay rent, food and basic service charges, per unit, as follows:

1. Rent:

(a) For the months of April-December of calendar year 2020, the sum of One thousand one hundred dollars (\$1,100) per month;

(b) For calendar year 2021, the sum of One thousand two hundred dollars (\$1,200) per month;

(c) For calendar year 2022, the sum of One thousand three hundred dollars (\$1,300) per month;

(d) For calendar year 2023 and thereafter, the sum of One thousand four hundred dollars (\$1,400) per month, or ninety percent (90%) of market rent applicable to the Section 8 subsidized elderly housing units for one and two bedroom units as approved by the Alaska Housing Finance Corporation and adjusted on an annual basis, whichever is greater.

(e) For Double Occupancy of a unit, an additional Nine Hundred dollars (\$900) per month.

2. Food: Three hundred fifty dollars (\$350.00) per month.

3. Service charges:

Self-pay units <u>(Basic Care)</u>	<u>The maximum service rate per day applicable to the facility established by the federal government for Medicaid Residential Supported Living</u> Four thousand eight hundred eighty dollars (\$ 4,880.00) per month for basic care
	Double-occupancy: An additional Nine hundred dollars (\$900.00) per month
Medicaid subsidized units	Service charges as approved and adjusted from time to time by Medicaid

[There are no changes to paragraphs C or D]

14.30.040 - Additional services.

A. Residents may purchase additional services provided by the facility by paying service charges as follows:

Basic cable TV	\$ 25.00 ^{18.00} per month, plus any additional charges for channels above basic service
Laundry	\$10.00 per month
Covered parking	\$10.00 per month

[There are no changes to paragraph B]

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall be effective immediately upon adoption.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 6th day of February, 2023.

Mark Jensen, Mayor

Attest:

Debra K. Thompson, Borough Clerk

Adopted:
 Published:
 Effective:

**PETERSBURG BOROUGH
ORDINANCE #2023-02**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR SERVICE
AREA 1 OF THE PETERSBURG BOROUGH TO REZONE PARCEL B, BLOCK
302, GREENBELT SUBDIVISION, LOCATED AT 10 N 12th STREET FROM OPEN
SPACE- RECREATION (OS-R) TO COMMERCIAL-1 (C-1)**

WHEREAS, the Borough owns a parcel of land, described as follows:

Parcel B, Block 302, Greenbelt Subdivision, Plat #2016-4,
Petersburg Recording District, First Judicial District, State of
Alaska

; and

WHEREAS, the parcel is currently zoned Open Space – Recreation (OS-R); and

WHEREAS, the Planning Commission initiated a zoning change of the subject parcel, under PMC 19.84 .020(B), in response to an application to purchase borough property if the parcel was rezoned to Commercial-1 (C-1); and

WHEREAS, Chapter 19.84 of the Petersburg Municipal Code (Service Area 1) provides for zoning amendments whenever the public necessity, convenience or general welfare requires; and

WHEREAS, the Planning Commission conducted a public hearing on the potential rezoning on November 8, 2022, after the notice required by the Municipal Code was provided, and considered and reviewed applicant materials, public comments and testimony, and staff report; and

WHEREAS, by unanimous roll call vote, the Planning Commission recommended to approve the rezoning based upon the findings of fact; and

WHEREAS, Borough Charter Section 3.01(K) and Section 1.12.010(G) of the Municipal Code require amendments to the official zoning map be enacted by ordinance.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS as follows:

Section 1. Classification. This Ordinance is of a general and permanent nature but will not be codified in the Municipal Code.

Section 2. Purpose. The purpose of this Ordinance is to amend the Official Zoning Map for Service Area 1 of the Petersburg Borough.

Section 3. Substantive Provisions. The Official Zoning Map for Service Area 1 of the Petersburg Borough, codified and referenced in Section 19.08.020 in the Municipal Code, is hereby amended for the following described property from Open Space-Recreation (OS-R) to Commercial-1 (C-1):

Parcel B, Block 302, Greenbelt Subdivision, Plat #2016-4, Petersburg
Recording District, First Judicial District, State of Alaska.

Section 4. Where Record to be Maintained. This non-Code ordinance, and the enactment of the zoning amendment referenced under Section 3 of this ordinance, shall be maintained with the zoning records of the Borough.

Section 5. Effective Date. This Ordinance will take effect immediately upon adoption.

PASSED and APPROVED by the Assembly of the Petersburg Borough, Alaska this 6th day of February 2023.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective:

Planning Commission Staff Report

Meeting date: January 3, 2023

TO: Borough Assembly
FROM: Planning Commission
Subject: Rezone of Parcel B, Block 302, Greenbelt Subdivision
 Parcel 01-006-431
 Petersburg Borough

The Petersburg Planning & Zoning Commission makes the following findings of fact:

1. The Petersburg Indian Association (applicant) submitted an application in September 2022 to purchase borough property and requesting a rezone of the parcel from Open Space to Commercial-1.
2. A motion to rezone was initiated by the Petersburg Planning & Zoning Commission at their meeting on October 11, 2022.
3. Subject parcel is .31 acres and undeveloped except for the school district informational sign. There is a 10' wide utility easement along Haugen Drive to protect an existing water main.
4. The zoning district for the area is primarily commercial. Parcels to the North, South, East and West are zoned commercial-1 and have been developed consistent with commercial zoning. There are also public-use facilities in the area, namely the Post Office and Fire Hall.
5. The subject parcel has road access (Haugen Drive and N 12th Street) and utilities are located nearby.
6. The Petersburg Indian Association has expressed interest in acquiring this parcel for future development.
7. The proposed rezone is consistent with the current Petersburg Comprehensive Plan (2001), specifically: "4.14 – Objective: Encourage a mixture of land uses and increase density in planned areas. Work with private/public interests to identify areas for cost-effective, practical development...".
8. The Planning Commission considered rezoning this parcel to commercial-1 in 2015 at the same time Parcel A was rezoned to commercial-1. The Commission chose to keep Parcel B zoned Open Space and noted future development of the small lot "should be considered separately if and when there is interest.". The Commission's report from 2015 is included in this packet.
9. Hearing notices were mailed to property owners within 600 feet of the subject parcel on October 20, 2022.
10. On November 8, 2022, a duly noticed public hearing was held by the Petersburg Planning Commission.

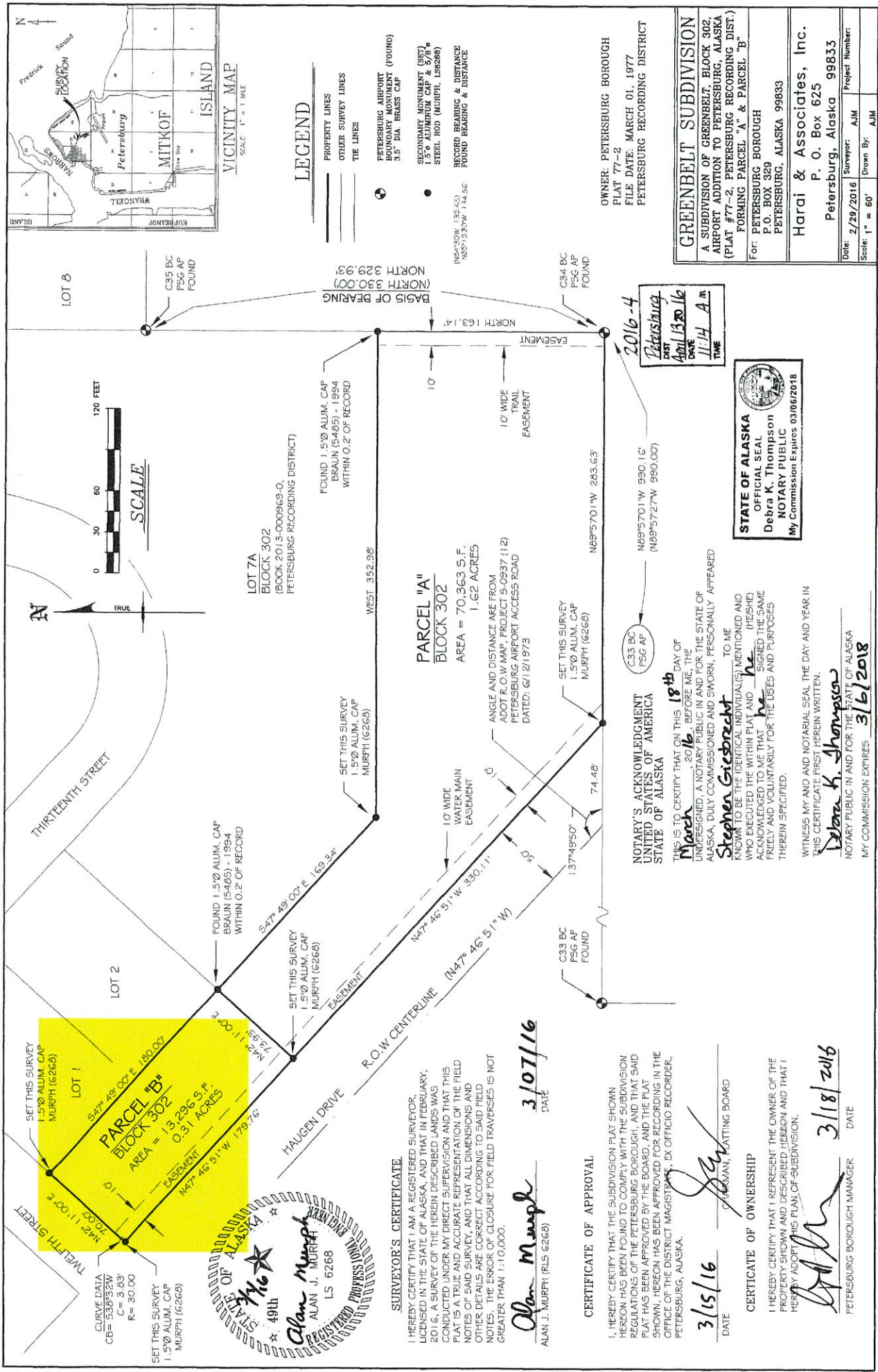
Planning Commission Staff Report

Meeting date: January 3, 2023

11. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Section 2. Based on the preceding findings of fact, the Planning Commission makes the following recommendation to the Borough Assembly:

Amend the official zoning map of the Petersburg Borough to rezone Parcel B, Block 302, Greenbelt Subdivision from Open Space to Commercial-1.





PETERSBURG INDIAN ASSOCIATION

**PO Box 1418
15 N. 12th Street
Petersburg, Alaska 99833
Phone: 907-772-3636
Fax: 907-772-3637**

September 2, 2022

Petersburg Borough
PO Box 329
Petersburg, Alaska 99833

To Whom It May Concern,

Petersburg Indian Association (PIA) submitted a Land Use Application for the property whose legal description is Parcel B, Greenbelt Subdivision, Plat 2016-4. That property is currently zoned Open Space – Recreational. PIA is only interested in purchasing that property if it were to be rezoned to Commercial-1 to match the adjacent lots. I appreciate your consideration in this matter.

As noted in the application, this parcel is the site of the school's informational sign. PIA is willing to grant the school an easement for the sign.

Please contact me with questions or if further information is required.

Sincerely,

Chad Wright
Tribal Administrator



Petersburg Borough, Alaska

Land Disposal Application

(\$500.00 non-refundable filing fee required)
Form must be completed in its entirety to be considered

Office Use:
Rec'd. by:
Fee: \$
Date Rec'd:

Date: SEPTEMBER 1, 2022

This is a request for land disposal via (circle one):
Lease Purchase Exchange Other

Parcel ID #(s) of Subject Property:
01-006-431

Proposed term of lease: _____
(total years)

Legal Description of Property:
PARCEL B, GREENBELT SUBDIVISION, PLAT 206-4

Current Zoning of Property:
CRUSDK-RENTAL

Applicant Name: PETERSBURG TRIBAL ASSOCIATION

Applicant Mailing Address: PO BOX 1418
PETERSBURG, AK 99833

Applicant Contact Info: (phone and/or email) CHAD WRIGHT 907-772-3636
tribaladams@tribal.org

1. Size of Area requested (identify the minimum area necessary in square feet): 13,216 sq ft
2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

CURRENTLY THERE ARE NO PLANS FOR THIS PROPERTY. DEA OWNS THE ADJACENT LOT AND REALIZES THE POTENTIAL BENEFIT TO CULTIVATING THIS LOT WHEN A DECISION IS MADE TO DEVELOP. DEA WOULD BE WILLING TO GRANT THE SCHOOL AN EASEMENT FOR THE INFORMATIONAL SIDE. WE WILL ASK FOR THIS TO BE RETURNED TO COMMERCIAL-1 TO MATCH THE ADJACENT LOTS.

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

PETERBERG-DUSTAN ASSOCIATION
HANKER & WILSON

5. Are there any existing permits or leases covering any part of the land applied for?

___ Yes No If yes, please check one: (___ Lease ___ Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee:

6. What local, state or federal permits are required for the proposed use? (list all)

NONE

7. If applicant is a corporation, provide the following information: N/A

A. Name, address and place of incorporation:

B. Is the corporation qualified to do business in Alaska?: ___ Yes ___ No

Name and address of resident agent:

8. Why should the Planning Commission recommend Assembly approval of this request?

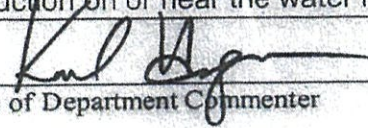
THIS LOT DOES NOT HAVE MUCH UTILITY ON ITS OWN, BUT IT HAS
MORE POTENTIAL TO BE COMBINED WITH THE ADJACENT LOT, WHICH
IS OWNED BY PETERSBURG TOWN ASSOCIATION.

9. How is this request consistent with the Borough's comprehensive plan?

THIS PURCHASE REQUEST IS CONSISTENT WITH THE BOROUGH'S
COMPREHENSIVE PLAN IN THAT IT ENCOURAGES DEVELOPMENT
WITHIN OUR EXISTING INFRASTRUCTURE.

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: The water, wastewater and electric departments of the Borough
have no need for retention of this parcel for utility purposes. However, there is an existing
easement for a 14" water main, that is installed on the property line common to Haugen
Drive, that should remain in place and prohibit construction on or near the water main.



Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

8. Why should the Planning Commission recommend Assembly approval of this request?
 9. How is this request consistent with the Borough's comprehensive plan?

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary).

Department Comments The water, wastewater and electric departments of the Borough have no need for retention of this parcel for utility purposes. However, there is an existing easement for a 14" water main, that is installed on the property line common to Haugen Drive, that should remain in place and prohibit construction on or near the water main.

Karl Haugen
 Signature of Department Commenter

Department Comments Community development has no need for the parcel to be retained in borough ownership.

[Signature]
 Signature of Department Commenter

Department Comments Public Works has no need for this parcel for public purposes, other than access to the water main as described above.

[Signature]
 Signature of Department Commenter

Department Comments

Signature of Department Commenter

NOTICE TO APPLICANT(s):

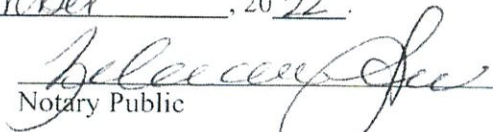
Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.

I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

Please sign application in the presence of a Notary Public.


Applicant/Applicant's Representative

Subscribed and sworn to by Chad Wright, who personally appeared
before me this 7th day of September, 2022.


Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: July 5, 2026

Planning Commission Report

October 20, 2015

TO: Borough Assembly
FROM: Planning Commission
Subject: Rezone – Parcel 01-006-442 - 1200 Haugen Drive

Recommendation:

Approve rezoning of greenbelt lot at 1200 Haugen Drive from Open Space to Commercial-1 with condition the parcel is subdivided as noted in attachment a.

The Petersburg Planning & Zoning Commission makes the following findings of fact:

1. An application for rezone was initiated by the Petersburg Planning & Zoning Commission (applicant) on August 11, 2015.
2. Applicant is requesting a rezone of a parcel from Open Space to Commercial.
3. Subject parcel is 2.21 acres and undeveloped. The surrounding area is a developed commercial district.
4. The zoning district for the area is primarily commercial. Parcels to the North, South, East and West are zoned commercial. There are also public-use facilities in the area, namely the Post Office and Fire Hall.
5. The parcel has road access (Haugen Drive) and utilities are located nearby.
6. Private sector has expressed interest in acquiring this parcel for future commercial development.
7. The rezone is consistent with the current Petersburg Comprehensive Plan (2001), specifically: “4.14 – Objective: Encourage a mixture of land uses and increase density in planned areas. Work with private/public interests to identify areas for cost-effective, practical development...”.
8. Hearing notices were mailed to property owners within 600 feet of the subject parcel on September 29, 2015.
9. On October 13, 2015, a duly noticed public hearing was held by the Petersburg Planning & Zoning Commission.
10. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments. There were no public comments submitted on the proposed action.

Section 2. Based on the preceding findings of fact, the Petersburg Planning & Zoning Commission makes the following recommendation:

The Planning Commission recommends rezoning of greenbelt lot at 1200 Haugen Drive from Open Space to Commercial-1 with the condition that the parcel be subdivided as shown in attachment a.

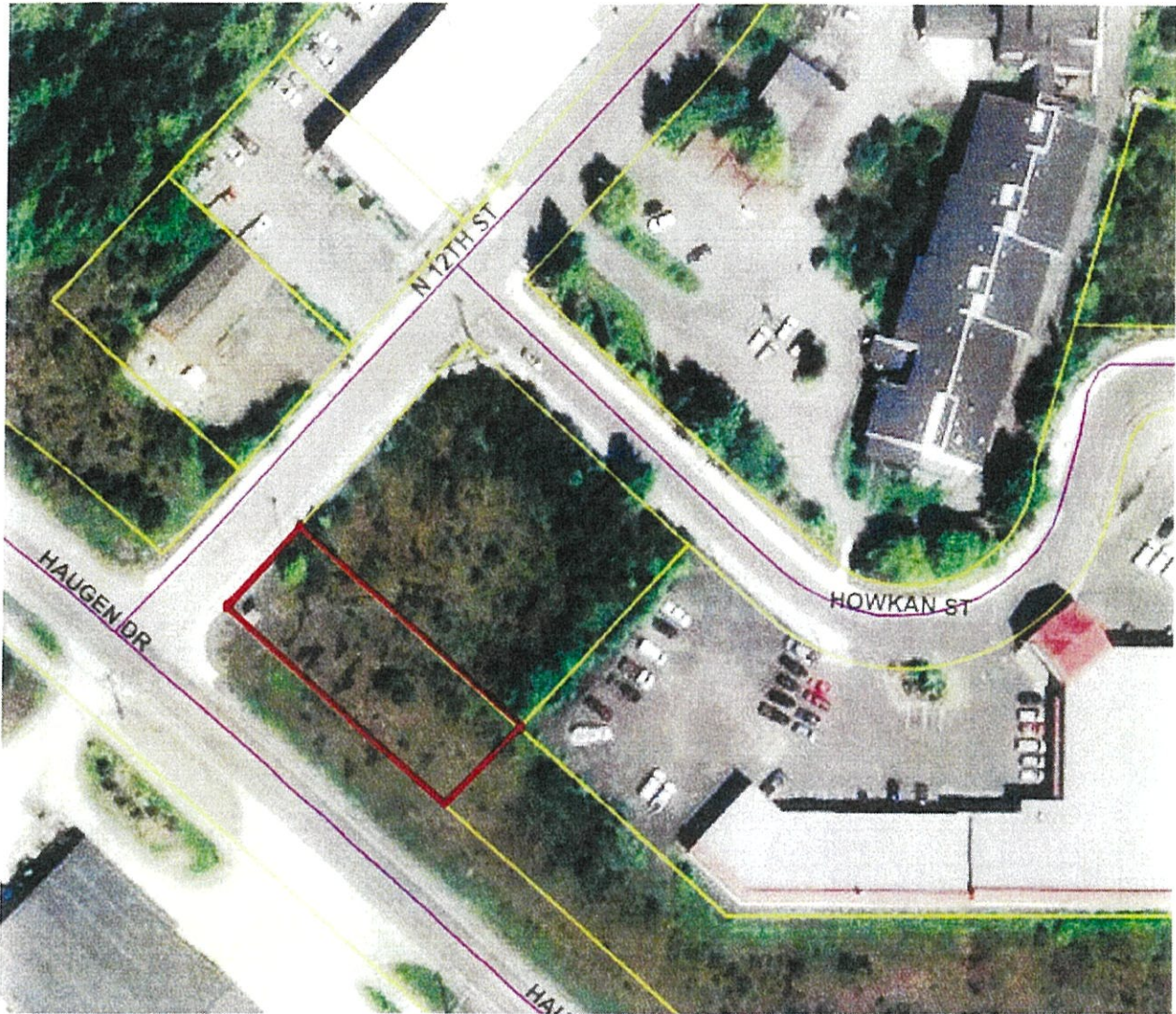
The commission further recommends the small lot (“B” on Attachment A map) created at the corner of Haugen Drive and 12th Street remain Open Space as it provides for good line of site for

Planning Commission Report

October 20, 2015

traffic entering/exiting 12th Street. Any future development of this smaller lot should be considered separately if and when there is interest.

The commission also notes that future development in this area should protect existing water lines located along the Haugen Drive R.O.W. and pedestrian access to the trail connecting the Hammer & Wikan grocery store and the US Post Office by establishing easements in those areas.



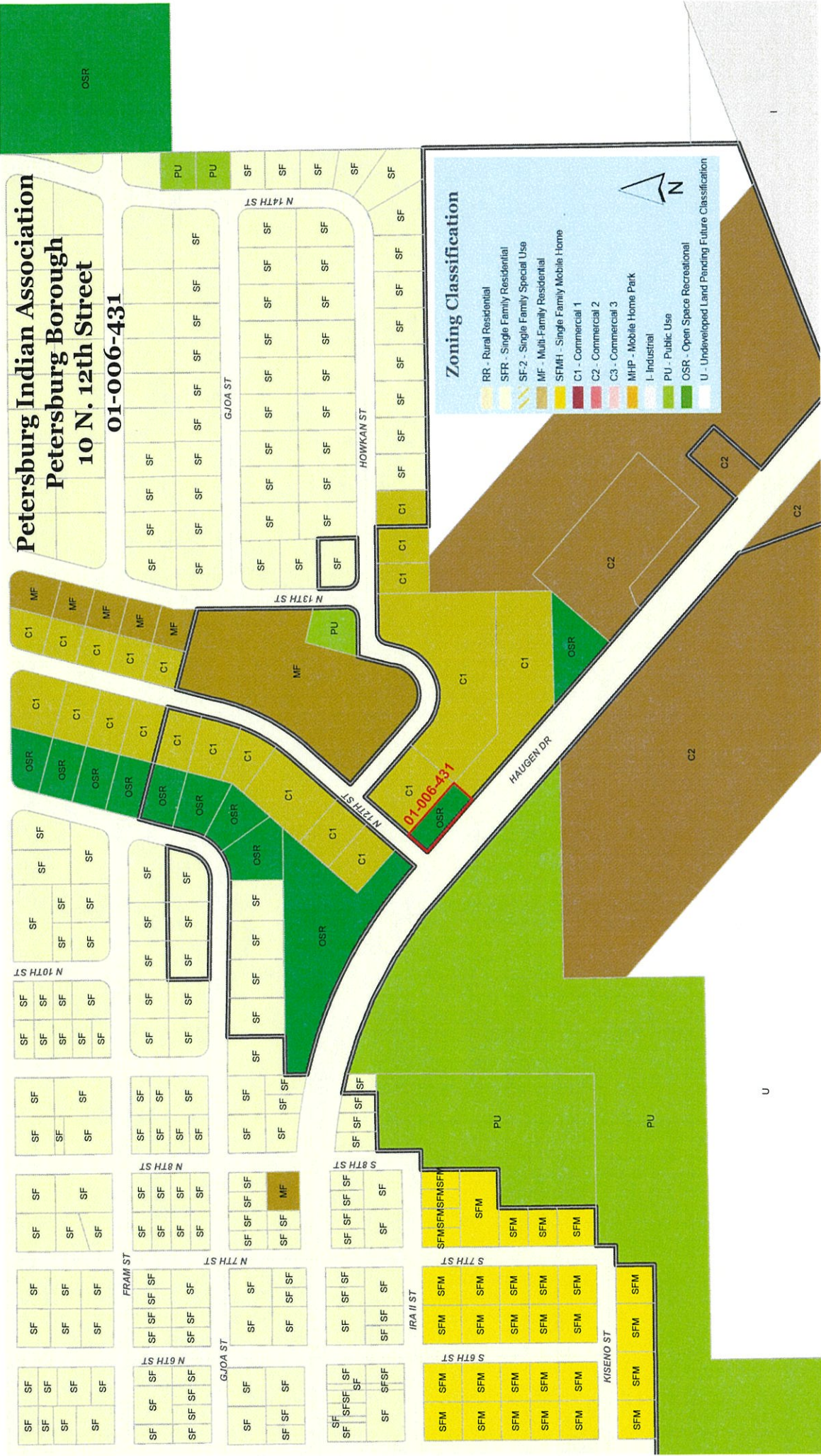
Petersburg Indian Association Petersburg Borough 10 N. 12th Street 01-006-431



PROPERTY AREA



Source: HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Swire Singapore, AeroGRID, IGN, and the GIS User Community



**PETERSBURG BOROUGH, ALASKA
RESOLUTION #2023-01**

A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO PURSUE OBTAINING OWNERSHIP OF THE PAPKE'S LANDING FACILITIES INCLUDING THE DOCK, FLOATS, LAUNCH RAMP, ASSOCIATED TIDELANDS, AND UPLANDS ADJACENT TO THE TIDELANDS PROPERTY, CURRENTLY OWNED BY THE STATE OF ALASKA

WHEREAS, The Petersburg Borough seeks to renovate the Papke's Landing marine infrastructure; and

WHEREAS, the requested tidelands, uplands, and access road is within the boundaries of the municipality; and

WHEREAS, the requested tidelands and uplands is not subject to a shore fisheries lease under AS 38.05.082; and

WHEREAS, the requested tidelands and uplands is classified for waterfront development; and

WHEREAS, the Alaska Department of Natural Resources has an application and approval process for this transaction based upon Alaska Statute 38.05.825 for the tidelands; and

WHEREAS, Alaska Department of Natural Resources has an approval process for obtaining the uplands through the Public and Charitable Use program; and

WHEREAS, the use of the land would not unreasonably interfere with navigation or public access; and

WHEREAS, the Petersburg Borough has a vested interest in improving this facility for the benefit of the local economy, community, and visitors to the Borough; and

WHEREAS, the Petersburg Borough Assembly understands that the Borough will be responsible for the survey of the requested tidelands and uplands where necessary; and

WHEREAS, the Alaska Department of Transportation and Public Facilities is supportive of this process; and

WHEREAS, the Petersburg Borough Assembly voted to pursue initial talks with the State regarding obtaining ownership of the tidelands and uplands property at Papke's Landing for the purpose of renovating and improving these said facilities; and

WHEREAS, the Petersburg Borough Assembly voted on this day to approve the conceptual plans for the development at Papke's.

THEREFORE, BE IT RESOLVED, the Assembly for the Petersburg Borough approves pursuing ownership of the tidelands and uplands located at Papke's Landing, from the Alaska Department of Natural Resources, encompassed by Survey's ATS-258, ATS-251, and ASLS 2009-36, and approves the conceptual plans for the renovations and repairs.

Passed and Approved by the Petersburg Borough Assembly on February 6, 2023.

ATTEST:

Mark Jensen, Mayor

Debra K. Thompson, Borough Clerk

**PETERSBURG BOROUGH
RESOLUTION #2023-02**

**A RESOLUTION SUPPORTING THE SOUTHEAST ALASKA TROLL FISHERY AND
URGING THE NATIONAL MARINE FISHERIES SERVICE AND THE ALASKA
DEPARTMENT OF FISH & GAME TO COMMIT THE NECESSARY RESOURCES TO
DEFEND ALASKA'S FISHERIES**

WHEREAS, commercial fishing is a mainstay of Petersburg's economy and the largest private sector employer in the State of Alaska; and

WHEREAS, the Southeast Alaska troll fleet is the second largest fleet in Alaska with 44% of fishing income to trollers being derived from their Chinook catch; and

WHEREAS, approximately 22% of the Southeast Alaska troll fleet permits are homeported in Petersburg; and

WHEREAS, 133 unique troll permits reported Petersburg as port of landing in the 2021 troll fish ticket records; and

WHEREAS, 14% of the total 2021 winter chinook troll fishery catch was landed in Petersburg; and

WHEREAS, commercial salmon trolling is a year-round contributor to Petersburg's economy and sustains year-round employment in the fishing, processing, and support sector industries; and

WHEREAS, including fishing, processing, and all related multiplier effects, the troll fleet has a total economic impact in Petersburg of approximately \$4.25 million annually, as measured in terms of total output; and

WHEREAS, the lawsuit filed by the Wild Fish Conservancy against the National Marine Fisheries Service (NMFS) threatens to close the Southeast troll fishery despite that closure providing no meaningful benefits to Southern Resident Killer Whales; and

WHEREAS, the Wild Fish Conservancy lawsuit has the potential to impact other Southeast fisheries; and

WHEREAS, the community of Petersburg will suffer severe economic hardship if the Southeast troll fishery is closed.

THEREFORE BE IT RESOLVED that the Assembly for the Petersburg Borough strongly urges that:

1. NMFS prioritize preparation of the necessary documents and processes to support prosecution of the Southeast winter and summer troll fisheries; and
2. NMFS and Alaska Department of Fish & Game commit the necessary resources to effectively defend Alaska's fisheries and the Southeast troll fishery in particular; and
3. All necessary and available state, federal or private resources be made available to support lawsuit defendants and intervenors; and

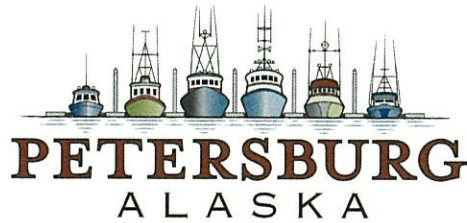
4. The State of Alaska work with Alaska's Congressional delegation to protect Alaska's fisheries from present and future misdirected or malicious lawsuits.

PASSED AND APPROVED by the Petersburg Borough Assembly on February 6, 2023..

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk



Top Petersburg Borough Projects FY 2023

Reviewed and approved in a public meeting October 3, 2022, by the Petersburg Assembly

1. New Petersburg Medical Center Project -

HRSA Grant (in process):	\$8 million
Treasury Grant (pending approval):	<u>\$20 million</u>
Total Received To Date:	\$28 million

Balance needed to complete project = \$56 million

Assumptions and Cost Basis

70,000 sf building

RLB Estimate dated January 2020 escalated an additional 5% to 2023

Total Project Cost = \$84 million

Direct Construction Costs (off-site improvements, site work, building) = \$62 million

Project Soft Costs (design, permits, testing/inspection, project management, construction administration, FF&E, artwork, commissioning, contingencies, repurpose old facility, etc.) = \$22 million

Phase 1 (Site Work): \$10 million direct construction costs + 35% for project soft costs = \$13 million

- Off-site Improvements
- On-site earthwork and utilities

Phase 2 (Building Shell & Core): \$42.5 million direct construction costs + 35% for project soft costs = \$57 million

- Foundations
- Exterior walls and windows
- Roof
- Elevator shafts and stairs
- Mechanical and electrical rough-in

Phase 3 (Complete Project): \$10.5 million direct construction costs +35% for project soft costs = \$14 million

- Interior partitions and doors
- Casework and finishes
- Mechanical and electrical trim
- Furniture, Fixtures and Equipment (FF&E)
- Repurpose old facility

Borough Administration

PO Box 329, Petersburg, AK 99833 – Phone (907) 772-4519 Fax (907)772-3759

www.ci.petersburg.ak.us

2. Marine Transportation Access Improvements for the Borough – As an island community, transportation for people, goods and services is heavily reliant on water transportation. Reductions in State support of the Alaska Marine Highway System (AMHS) has resulted in reduced services and severe impacts on residents and commercial enterprises. The Petersburg Borough Assembly has prioritized several marine access improvement projects to facilitate growth in our local economy and support for the residents.
 - a. Expansion and improvements for the Banana Point Boat facilities that improves transportation of goods and passengers between Petersburg and other communities in Southeast Alaska. \$2.0M
 - b. Dock, ramp, and floats for Papke’s Landing Facility to improve transportation for off island residents and hunting and fishing lodges in the area. \$9.22M
3. Addition of ADA ramps for the South Harbor to help facilitate easier access to the main Petersburg commercial district for visitors and residents, \$3.0M.
4. Scow Bay Boat Haul out and wash down facility – Development of a small vessel haul out and work yard for use by commercial fishing, sport/tour/charter, and private recreational vessels. Improvements include replacement of a deteriorated and inadequate ramp for hauling boats in and out of the water, vessel washdown pad, and water, sewer and electrical service-related improvements are also needed. Engineering is 35% complete, with a total estimated cost of approximately \$8.0M.
5. Scow Bay Generator #2 – This project will add additional standby generation capacity to account for the increase in electrical demand during the winter and to fully restore Petersburg’s power in the event of a hydropower outage. The addition of electric heat pumps, conversion from oil heat to electric, and growth in the local economy have increased the electrical demand equal to the capacity of existing standby power assets. The Borough has \$1.4 million on hand and will need an additional \$3.2 million to complete the project.
6. Aquatic Center and Community Gym Refurbishment – This project will update the mechanical, control systems and HVAC systems in the aquatic center and community gym facilities to improve energy efficiency and reliability. In addition, the aquatic center needs to have peeling paint in the pool area removed and redone to avoid the paint dropping into the pool. The facility is almost 20 years old and recently suffered a catastrophic fire in the Aquatic Center boiler room. During the recovery from this event, engineers identified additional future repairs that need to be done to avoid future downtime in the facility. The approximate cost for these repairs is \$3M.
7. Subdivision builds for workforce housing – This project will provide infrastructure (water, sewer, electric and roads) to a portion of the town to open future building sites for housing lots. The Borough received engineering estimates at approximately \$3.5M to provide the needed infrastructure. This infrastructure would allow the Borough to add approximately 25 residential lots for the community.



February 20, 2023

Bruce Sexauer, Chief
Civil Works Branch
Alaska District, USACE
Box 6898
JBER, Alaska 99506-0898

Re: General Investigations Study

Dear Mr. Sexauer:

The Petersburg Borough is requesting a general investigations study or assistance from the USACE from another applicable program to look at developing a harbor basin and breakwater along Borough owned property in Scow Bay.

Harbors are vital for the Petersburg economy and our three harbor system is at full capacity with a waiting list for seasonal and permanent moorage. This impacts our ability to attract and retain new businesses, as well as provide increased support for the US Coast Guard. The protected nature of the harbors coupled with the centralized location of Petersburg has long been a factor in a consistent customer base. Future growth will depend upon moorage availability.

Currently there is design work being done for a boat yard and other vessel services on Borough owned uplands at Scow Bay and a new harbor facility would be an ideal addition to this area. The Borough's downtown waterfront has been fully utilized with no available area for future development therefore Scow Bay has been identified as a logical choice for harbor facility expansion.

On behalf of the Petersburg Borough, I request the Alaska district initiate a study to construct a harbor basin, breakwater and all navigation features needed for a future harbor for Petersburg.

Sincerely,

Mark Jensen
Mayor
Petersburg Borough

Debra Thompson

From: Bill Tremblay <brtrembla@gmail.com>
Sent: Monday, January 16, 2023 4:28 PM
To: Assembly
Subject: Update on Federal SNAP program in Alaska

I wrote the Assembly a couple of weeks ago regarding my concern for people not receiving their federal SNAP support (Supplemental Nutritional Assistance Program). In addition to writing you I wrote to Governor Dunleavy, our Congressional Delegation, and spoke with our incoming State Representative. I did get a call from someone who works with the State to discuss my concerns.

In general, as reported by KTOO reports shared on public radio, there are several issues regarding the stoppage in these payments and with the reinstatement of future payments. The problems include; a cyber attack on their computer systems in 2021, changes to eligibility by the Federal government given the reduction of impacts by the pandemic, having many of the applications for assistance coming at the end of a 90 day open period, and lack of staffing to process applications. Another complication noted by the State employee was a requirement by the Federal government to require an interview with applicants before the applications could be processed. While these reasons could justify some delays in payments to families in need, it still doesn't help those families.

I talked with Liz Cabrera about this issue. (She was off on medical leave when the first two (of three) KTOO reports were broadcast.) At the time, it was reported that many families had not received their support payments since October and State Officials were saying that many applications could take another 120 days to process. (I found out that some payments actually stopped in September.) This meant that some families could be missing this needed support for up to 7 months!

According to information Liz shared with me, approximately 10% of Petersburg's population is partially supported with SNAP program. These are funds unavailable to some of our neediest residents during the winter.

There may not be anything the Borough could do to help except to suspend any late fees that might be charged regarding delays for payment of city services. I understand that payments to applicants could be made retroactive to the time when they were eligible but in the meantime, I'm sure some folks are struggling to get by.

The SNAP program is Federally funded. Not having enough staff in place to process these applications is a direct result of the Governor's policies to reduce the size of government overall. What we're seeing here is a direct result of how harm can be caused by not having adequate staff in place. I know the Assembly has allocated some PPP dollars to help address some Child Care issues, are there any funds to help provide food assistance while families wait to have their applications for SNAP funding processed?

Thanks for allowing me to express my concern.

Sincerely,

Bill Tremblay
P.O. Box 662
Petersburg, AK 99833
(907) 772-4461



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation

DIVISION OF WATER
Wastewater Discharge Authorization Program

PO Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5180
Fax: 907.465.5070

January 19, 2023

Subject: Permit Issuance Plan 2023-2024

Dear Local and Tribal Government Leaders:

The Alaska Department of Environmental Conservation, Division of Water (DOW) has completed a Permit Issuance Plan (PIP) for the 2023-2024 calendar years. The PIP is enclosed and lists wastewater discharge permits the agency anticipates working on and issuing during calendar years 2023-2024. The PIP describes the planned permits by facility name, permit number, and water body into which the wastewater discharge would occur. The PIP is updated annually and is also available on the DEC website under the Highlights Section at: <http://dec.alaska.gov/water/wastewater/>.

You are receiving this letter because DOW routinely identifies and notifies local and tribal governments who have the potential to be affected by a proposed permitting activity. Local and tribal governments can also self-identify as potentially affected by a proposed permitting activity by contacting DOW. By self-identifying as potentially affected by a permit that DOW is proposing to issue, a local or tribal government will receive periodic notices identifying when a version (e.g., draft) of the permit is noticed. Further, if the local or tribal government engages with DOW early on, you can communicate local and traditional knowledge to be considered in the permit development process. DOW strongly encourages that you review the PIP to determine if proposed permitting activities are of interest. DOW encourages participation throughout the permitting process, including during permit development.

Public involvement opportunities are described in the APDES Permitting Process - Public Participation document. The Public Participation document is available on the DOW website at <http://dec.alaska.gov/water/wastewater/> under the "Resources" heading, and hard copies will be mailed upon request. Involvement opportunities specific to local and tribal governments are described in the APDES Guidance for Local and Tribal Governments. The Local and Tribal Government guidance is available on the DOW website at <http://dec.alaska.gov/water/tribal-communications/> under the "Highlights" heading and will be mailed upon request. For more information about the PIP or participation opportunities, contact Gina Shirey at gina.shirey@alaska.gov or (907) 465-5272.

In order to identify and notify local and tribal governments that are potentially affected by proposed permitting activities, DOW maintains a contact directory. Please help ensure notifications are received by updating us of any changes to contact information by using the enclosed "Update Contact Information" form. The form can be mailed to DEC, Wastewater

Permit Issuance Plan

January 19, 2023

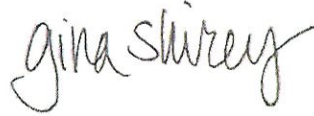
Discharge Authorization Program, Attention: Gina Shirey, PO Box 111800, Juneau, AK, 99811-1800; returned by fax to (907) 465-5177; or scanned and emailed to gina.shirey@alaska.gov.

We look forward to continuing to work closely with you to develop sound permits based on a full understanding of local conditions.

Sincerely,



Gene McCabe
WDAP Program Manager



Gina Shirey
Local and Tribal Government Coordinator

Enclosure: Permit Issuance Plan 2023-2024
Update Contact Information Form

DEC WASTEWATER PERMIT ISSUANCE PLAN FOR CALENDAR YEARS 2023-2024			
Permit Number	Expiration Date	Facility Name	Receiving Water
2023 General Permits (GP)			
AKG374000	8/14/2023	Norton Sound Large Dredge Placer Miners	Statewide
AKG375000	1/1/2023	Small Suction Dredge Placer Miners	Statewide
2013DB004	8/28/2019	Large Cruise Ship GP	Marine Waters
AKG332000	2/28/2022	North Slope Oil and Gas General Permit	North Slope Marine and Freshwater
AKG320000	12/31/2022	Statewide Oil and Gas Pipelines	Statewide
AKG130000	02/28/2023	Aquaculture Facilities of Alaska	Statewide
AKG573000	08/31/2023	Small Domestic Lagoon to Surface Water GP	Statewide
AKG523000	12/31/2023	Offshore Seafood Processors Alaska	Statewide
2023 Individual Permits			
AK0043206	9/30/2020	Greens Creek APDES	Hawk Inlet
AK0053741	4/30/2022	Usibelli Coal Mine - Jumbo Dome APDES	Marguerite Creek
AK0050571	5/31/2022	Kensington APDES	Sherman & EF Slate Creeks
AK0053341	6/30/2022	Pogo Mine APDES	Goodpaster River
2018DB0001	5/23/2023	Pogo Mine WMP	N/A
TBD	New	FGMI - Manh Choh Project WMP	N/A
TBD	New	FGMI - Gill Project WMP	N/A
AK0053309	9/20/2014	Cook Inlet Energy - Osprey Platform	Cook Inlet
AK0029840	12/31/2022	Hilcorp North Slope, Prudhoe Bay Seawater Treatment Plant	Beaufort Sea
AK0000841	6/30/2022	Marathon, Tesoro Kenai Refinery	Cook Inlet
AK0043354	5/31/2023	ConocoPhillips Alaska Inc., Kuparuk Seawater Treatment Plant	Beaufort
AK0053767	6/30/2023	Eni Operating US, Spy Island Drillsite	Beaufort
AK0038661	10/31/2023	Hilcorp Alaska LLC, Endicott Operations	Beaufort
AKS052558	10/31/2021	Ft Wainwright MS4	Chena River
AK0053732	04/01/2021	Aurora Energy Services	Resurrection Bay
AK0000507	6/29/2022	Agrium Kenai Plant	Cook Inlet
AK0021547	7/31/2022	Cordova Wastewater Treatment Facility	Orca Inlet
AK0001341	06/30/2023	Eielson AFB Central Heat and Power Plant	French Creek
AK0021555	06/30/2023	Kodiak WW Treatment Facility	Woody Island Channel
AK0053236	06/30/2023	Ted Stevens Marine Research Institute at Lena Point	Favorite Channel
AK0053619	09/30/2023	Nikiski Combined Cycle Plant	Cook Inlet
AK0022497	12/31/2011	City of Palmer WWTF	Matanuska River
AK0053333	1/31/2023	Aurora Energy Chena Power Plant	Chena River
AK0028657	3/31/2008	Unisea Seafoods	Unalaska Bay/Illiuliuk Harbor
AK0053490	New	Trident Seafoods, St. Paul Seafood Processor	Bering Sea & St. Paul Harbor
AK0034303	3/31/2008	Trident Seafoods, Akutan	Akutan Harbor
AK0052388	09/13/2004	Peter Pan Seafood Company King Cove Plant	King Cove
TBD	New	Silver Bay Seafoods Naknek Plant	Naknek River

The permits listed in this Permit Issuance Plan reflect the Department's permit priorities at the time the Plan was finalized. Note that during the time period covered by the Plan, the Department's permit priorities are subject to change as a result of permit processing delays, new priorities and/or competing unforeseen workloads.

DEC WASTEWATER PERMIT ISSUANCE PLAN FOR CALENDAR YEARS 2023-2024			
Permit Number	Expiration Date	Facility Name	Receiving Water
2024 General Permits			
AKG380000	07/31/2024	Wastewater Discharges from Drinking Water Treatment Facilities	Statewide
AKG250000	08/31/2025	Wastewater Discharges from Non-Contact Cooling Water	Statewide
2024 Individual Permits			
AK0053643	5/31/2023	Fort Knox APDES	Old Fish Creek
AK0055867	6/30/2023	Donlin Gold APDES	Crooked Creek
2017DB0001	1/17/2024	Donlin Gold WMP	N/A
2019DB0001	7/16/2024	Palmer Project WMP	N/A
TBD	New	FMGI - Manh Choh APDES	Hillside Creek Tributary
TBD	New	FMGI - Gill Project APDES	Slippery Creek
AK0045675	3/31/2023	Vigor, Ketchikan Shipyard	Tongass Narrows
AK0053767	6/30/2023	Spy Island Drill Site	Beaufort Sea
AK0023248	11/30/2024	Alyeska Pipeline Service Company, Valdez Marine Terminal	Port Valdez
AK0053694	7/31/2024	Hilcorp Alaska LLC, Pt. Thompson 200 Mancamp	Beaufort Sea
AKS053414	6/30/2023	Fairbanks NSB MS4	Chena River
AKS053406	6/30/2023	City of Fairbanks, North Pole, UAFADOT&PF MS4	Chena River
AK0053392	02/28/2025	Ketchikan Pulp Company Ward Cove Landfill Leachate	Ward/Refuge Cove
AK0022543	02/28/2025	Eagle River WWTF	Eagle River
AK0022951	05/31/2025	City and Borough of Juneau Mendenhall WWTP	Mendenhall River
AK0053384	05/31/2025	Ketchikan Ward Cove WWTF	Ward Cove
AK0031429	05/31/2025	USCG Base Kodiak	St. Paul Harbor//Womens Bay
AK0052566	05/31/2025	Alaska SeaLife Center	Resurrection Bay

The permits listed in this Permit Issuance Plan reflect the Department's permit priorities at the time the Plan was finalized. Note that during the time period covered by the Plan, the Department's permit priorities are subject to change as a result of permit processing delays, new priorities and/or competing unforeseen workloads.

Debra Thompson

From: Debra Thompson
Sent: Monday, January 23, 2023 10:13 AM
To: Assembly
Cc: Stephen Giesbrecht
Subject: Thin Blue Line Wall Art Conversation
Attachments: Thin Blue Line Flag Art in PD Conversation.PDF

Dear Assembly,

I am forwarding you a conversation between Sarah Fine-Walsh and Manager Giesbrecht regarding the wall art located in the Patrol Room of the Police Department that contains the Thin Blue Line. Please read the attached email chain from the bottom up to get it all in the order it occurred. Please let Steve or I know if you have any questions.

Thank you,
Debbie

Debra K. Thompson, CMC
Borough Clerk/Human Resources Director

Petersburg Borough
907-772-5405



Debra Thompson

From: Stephen Giesbrecht
Sent: Thursday, January 12, 2023 2:51 PM
To: sarah@finewalshlaw.com
Cc: Debra Thompson
Subject: RE: Flag Concern - response

Sarah, thank you for your email. I will share this with the Assembly.

From: Sarah Fine <sarah@finewalshlaw.com>
Sent: Thursday, January 12, 2023 2:24 PM
To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>
Cc: Debra Thompson <dthompson@petersburgak.gov>
Subject: Re: Flag Concern - response

In the course of my duties as an attorney I have seen this other multi-color thin blue line flag you speak of in the lobby of the police station. While you will notice I made a complaint about the official Thin Blue Line Flag specifically, and not this sanitized version in the lobby, in my opinion both are dangerous and divisive and not suitable for display in Borough buildings. I immediately recognized the hateful symbol which is implied in this sanitized version, and was immediately disturbed by it for the very reasons you describe for not wanting to take down the Thin Blue Line Flag--this emergency responders version obscures and normalizes a noted white nationalist symbol as mere, vague, general solidarity with emergency responders and law enforcement. But consider: solidarity with law enforcement...against what? Against what issues, in what fight? Against any attempt whatsoever to hold law enforcement accountable for anything, no matter how heinous? Total suppression of criticism against the only people in town with a license to kill?

The fact is, Thin Blue Line symbol is both divisive and political because by its very nature it suppresses residents' First Amendment protected liberties of free speech, and is therefore unsuitable for display in Borough buildings.

Further, Kerr's promise that the official Thin Blue Line Flag he's put on display here has a special non-racist meaning in Alaska strains credulity to the breaking point. Mr. Manager, you and I have spoken at length about how police in America have a national culture of policing due to the requirement that our police officers be trained at nationally-accredited police academies. The obvious truth is it is national not State police culture at play here in the Petersburg Police Department. This truth is again obvious by the particular Thin Blue Line flag on display, because it's not the State of Alaska flag, it's the national American flag. It clearly references to a national culture, specifically white nationalism, which considered to be [the most significant domestic terrorism threat facing the United States today](#).

I will also note from a litigation standpoint it is not a good sign that I first noticed the official Thin Blue Flag in our police station--the full black-and-white-and-blue American flag symbol--shortly after Plaintiff Kerr filed his unfounded lawsuit against the Borough alleging defamation. The Borough would do well to consider the planting of this flag as an escalation, a use of rhetorical force. Plaintiff Kerr's actions of suing the Borough and then flying this particular flag does not demand from Petersburg mere solidarity with police in a vague sense. It demands solidarity with Kerr in a specific sense: against any attempts to him personally accountable for anything at all, whether it's for hiring a Nazi, or making an improper anti-mask political statement while on duty, or making an Alaska history-making HR complaint against sitting assembly members properly using their investigatory powers against the police...anything at all.

The simplest, most obvious explanation here is the right one--this flag means the same thing in Petersburg as it does everywhere else in America. It is a threatening statement against perceived enemies of the police, and is a big red flag for the culture in Petersburg. I insist on challenging this now because the longer this flag stays up in our police station, the more likely violence against Petersburg residents becomes. I refuse to wait until the police physically harm someone

in our town to speak out about what a bad sign it is that this white nationalist symbol is now on public display in our police station.

While it may be true that "many" police departments in Alaska choose to use this divisive national symbol in their precincts, I'm sure there are still plenty more who do not do so. Just because many towns in Alaska have threatening nationalist flags in their police stations doesn't mean that Petersburg has to be one of them.

According to a friend of mine in Ketchikan (whose town is apparently is unafraid to indict their sitting police chief for felony assault ([have you read this story??](#))), their town does not have this Thin Blue Line symbol displayed anywhere, let alone in their police station. Maybe we can be more like Ketchikan in that way.

To get a more accurate picture of how Alaska really treats this issue I am now frankly tempted to start calling up police stations across the state myself and doing an informal phone poll of who actually chooses to display this symbol in their precinct and who does not. If Borough Administration chose to ask around Alaska about this fact issue more privately, before continuing to trust Plaintiff Kerr's questionable assessment of this issue, I would certainly appreciate it.

SFW

On Wed, Jan 11, 2023 at 3:56 PM Stephen Giesbrecht <sgiesbrecht@petersburgak.gov> wrote:

Sarah -

Unfortunately, the PPD Procedures Manual, Rule 125, does not contain a definitive indication as to what was intended by "political issues", as that term is used in paragraph 1(a), although the further examples set out in the more specific paragraphs 1(b) through 1(h) give some guidance. As you probably know, that manual was created by a former chief and I was not involved in its development. Read broadly, the language of 1(a) could conceivably encompass even the American flag, and in my mind that was probably not what was intended. Read less broadly, it could be limited to controversies, political in nature, which could be viewed as impacting or calling into question the neutrality of the department or individual officers - like the examples set out in 1(b)-(h).

At this point, given the lack of any indication that the flag symbol is being used in the borough or in the state to advocate for or to influence any specific "political cause" such as white nationalism, and the fact that it is in widespread use throughout Alaska law enforcement departments, I didn't view it as coming under the definition of 'political activity'. It also doesn't seem to be included in any of the more specific examples provided in paragraphs 1(b)-(h). In short, I currently view this flag art as a generic statement of support for the efforts of community police officers, similar to another flag that has been hanging in the PD since the new building opened - I've attached a picture of that flag here. That flag contains a partial American flag, setting out the different lines used for different public employees, and expresses general support for officers, firefighters, EMS workers, and other public servants. I didn't view that as political activity or a political issue either.

I hope this provides further insight into my thinking on this. I would add that my view may change over time, if I learn new information or if there are future developments.

Steve

From: Sarah Fine <sarah@finewalshlaw.com>
Sent: Wednesday, January 11, 2023 11:04 AM
To: Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>
Cc: Debra Thompson <dthompson@petersburgak.gov>
Subject: Re: Flag Concern - response

It is not acceptable to me that this response fails to include Petersburg Police Rule 125 in this analysis. The fact that it's apparently state standard to use a symbol like this is alarming to say the least. But it still does not change our local Petersburg rule of no political statements on duty.

The whole point of posting this flag is for political purposes. If it was not a political statement it would just be a miscolored American flag.

I respectfully request a complete analysis and response.

SFW

On Wed, Jan 11, 2023 at 10:06 AM Stephen Giesbrecht <sgiesbrecht@petersburgak.gov> wrote:

Sarah,

I appreciate you bringing the matter of the usage of the thin blue line flag at the Petersburg PD to my attention. I've now had the opportunity to look into this a little further.

Your complaint (verbal) was that this symbol is "being used by white supremacy groups and racist organizations and should not be displayed in the Police Station" (paraphrased). After checking with both Chief Kerr and a law

enforcement consultant utilized by the Borough's insurer, I've learned that many police departments in Alaska, including the State Troopers, currently use this flag to show support for law enforcement. Some departments have flags hanging in their stations, some use medals with the symbol for their uniforms, it is used on challenge coins, and at least one has incorporated the design into the painting of their building. I have not found anything to suggest that the symbol is tied to any racist groups in Alaska or our Borough. The use of this flag here in Petersburg appears to be consistent with its original purpose of showing support for Police Officers and the job they do.

At this point, I feel the use of this flag and symbol is consistent with the mission of supporting our communities and our Police Officers. I recognize that the meaning of symbols like this can change over time, and if I learn anything that suggests that it is being used here for a different, offensive purpose, I would certainly review this matter again.

Thank you and please let me know if you have any further questions or concerns.

Steve

--



Sarah Fine-Walsh, Attorney
Partner | Fine & Walsh, Attorneys at Law

15 North 12th Street, Suite 213A
Petersburg, Alaska 99833

907.650.7589 | sarah@finewalshlaw.com

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THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

DIVISION OF MINING, LAND & WATER
Land Conveyance Section

550 West 7th Avenue, Suite 640
Anchorage, Alaska 99501-3576
Main: 907.269.8594
TTY: 711 or 800-770-8973
Fax: 907.269.8916
<http://landsales.alaska.gov>
<http://facebook.com/alaskaland/>

January 27, 2023

Honorable Mark Jensen, Borough Mayor
Petersburg Borough
PO Box 329.
Petersburg, Alaska 99833

RE: Proposed Petersburg Borough Municipal Land Entitlement in within Regions 1 and 3
(Central Southern Southeast Area Plan) for portions to be conveyed and rejected.

Dear Honorable Jensen,

The purpose of this letter is to provide notice to the Mayor's Office of proposed conveyances, postponement and rejection of state-owned land to the Petersburg Borough, properly posted, in accordance with AS 38.05.945.

Enclosed is a copy of the public notice that explains the proposed actions. Please distribute this letter to those within your organization that may have an interest and submit your comments, if any, by **March 3, 2023**.

If you should have any questions concerning these actions, you may contact me at (907) 269-6546, or email at mary.hermon@alaska.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Hermon".

Mary Hermon
Natural Resource Specialist II
Land Conveyance Section, Municipal Entitlements

Cc: Debbie Thompson, Borough Clerk
Stephen Giesbrecht, Borough Manager

Enclosure: 1

STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
LAND CONVEYANCE SECTION

Attachment G: PUBLIC NOTICE

Requesting Input for a Proposed Conveyance Under AS 29.65
Petersburg Borough Municipal Land Entitlement Selections – ADL 108982, 108983, and 108984

COMMENT PERIOD ENDS: 4:30 PM, FRIDAY, MARCH 3, 2023

The Department of Natural Resource (DNR), Division of Mining, Land and Water (DMLW), Land Conveyance Section (LCS) has prepared a Preliminary Decision (PD) for a proposal to convey approximately 2,737 acres of state owned vacant, unappropriated, unreserved (VUU) general grant land to Petersburg Borough (Borough), in order to partially fulfill their municipal land entitlement under AS 29.65.010. Located within DNR's Southeast Region, these land selections are in regions of the Central Southern Southeast Area Plan (Region 1. Sumdum-Stephans Passage and Region 3. Petersburg). LCS finds that the proposed conveyance is consistent with the requirements of AS 29.65, and that the Borough's interest in obtaining these state lands outweigh the State's interest in retaining them. And postpone adjudication on approximately 23 acres.

LCS proposes to reject approximately 523 acres of borough selections where the CSSAP states the land will be retained by the State.

Pursuant to AS 38.05.945 Notice, the public is invited to comment on this PD which proposes to transfer ownership of state land to the Petersburg Borough. **The deadline for submitting public comment is 4:30 PM, Friday, March 3, 2023.** Only persons from whom LCS receives timely written comment during the identified comment period will be eligible to file and appeal of the Final Finding and Decision (FFD). Comments must be received in writing to the Division of Mining, Land and Water, Attention: Mary Hermon, at 550 West 7th Avenue, Suite 640, Anchorage, Alaska 99501, by fax at (907) 269-8916, or by email at mary.hermon@alaska.gov. If you have questions, call Mary Hermon at (907) 269-6546.

The public notice is available on the Alaska Online Public Notice System at: <http://dnr.alaska.gov/commis/pic/pubnotfrm.htm>. The Preliminary Decision is available on the DMLW Municipal Entitlement web site at: <http://dnr.alaska.gov/mlw/muni/> and on the DMLW Land Sales website at: <http://landsales.alaska.gov>.

Following the comment deadline, those written responses received will be considered and the decision may be modified to incorporate public comments in a Final Finding and Decision (FFD). Only persons who comment during this public comment period will be eligible to file an administrative appeal of the FFD. A copy of the FFD will be sent to any person who comments on the PD. The FFD will include the appeal instructions. Please direct all inquiries or questions to Mary Hermon, at the above address, electronic mail, phone or by fax.

DNR is prepared to accommodate individuals with disabilities by providing auxiliary aids or services when requested. Individuals with audio impairments who wish to respond to this decision by telephone may call the DNR, Public Information Center in Anchorage between the hours of operation: 10:00 AM to 5:00 PM, Monday through Friday at TTY: 711 for Alaska relay or 800-770-8973 or go to <http://dnr.alaska.gov/commis/pic/>

If no significant change is required, the PD, including any minor changes and a summary of comments and responses, will be issued as the FFD, without further notice. A copy of the FFD will be sent to any persons who commented timely on the PD.

DNR reserves the right to waive technical defects in this notice.

ATTACHMENT A

PETERSBURG BOROUGH








Municipal Selections

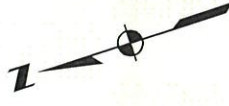
Vicinity

Preliminary Decision

ADLs 108982, 108983, 108984

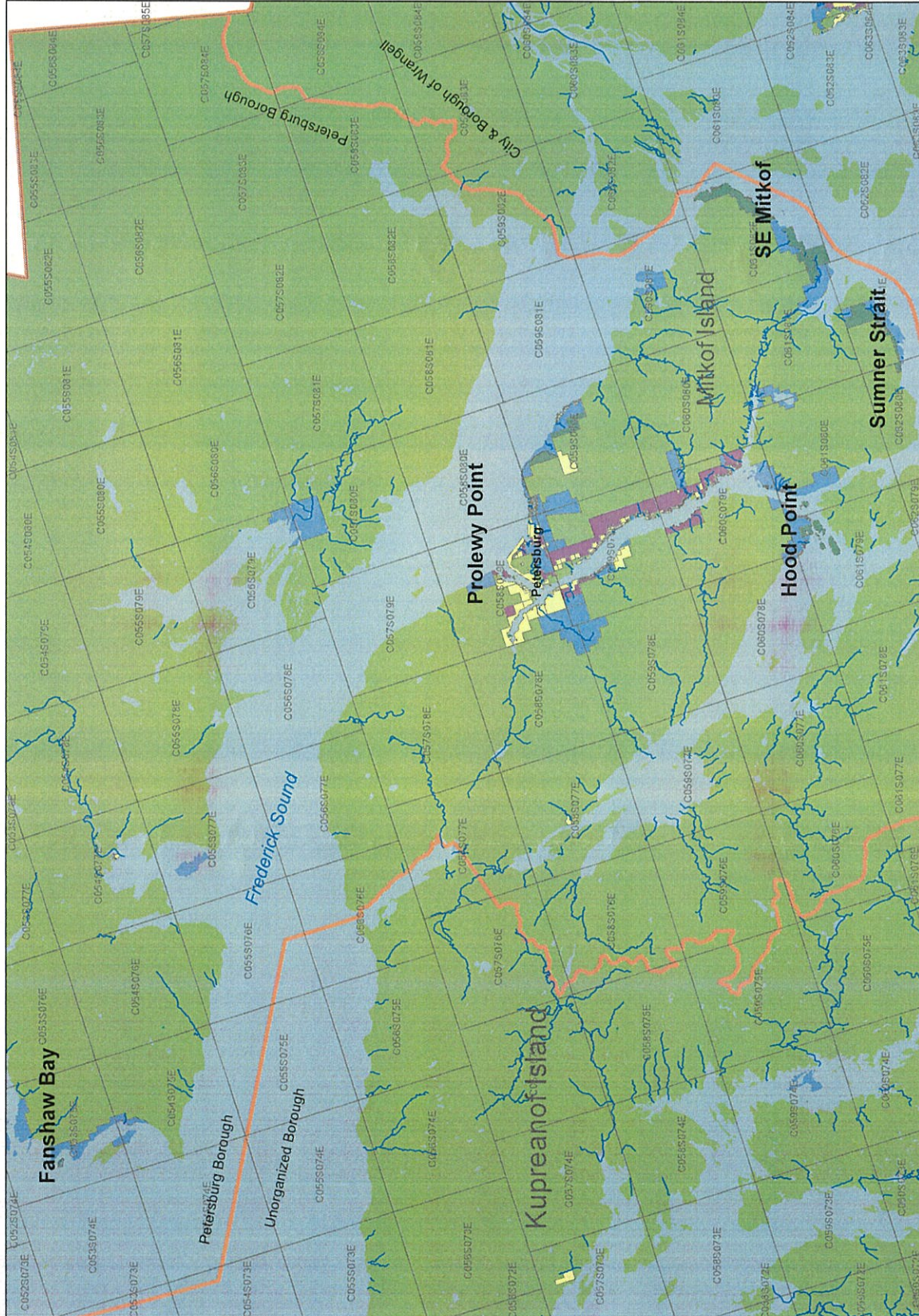
Legend

-  Anadromous Streams
-  Borough Boundary
-  LDA (State Forest, PUA, etc)
-  State Land, TA or Patented
-  Mental Health Trust Land
-  US Forest Service Land
-  Private Owned Land



January 2023

DNR-DMLW-LCS-ME



Office of Representative Rebecca Himschoot

Item 16A.

Session

Alaska State Capitol
120 4th Street
Juneau, AK 99801
(907) 465-3732
(888) 461-3732



Alaska State Legislature

Angoon, Craig, Edna Bay, Elfin Cove, Hollis, Hoonah, Hydaburg, Kake, Kasaan, Klawock, Kupreanof, Naukati, Pelican, Petersburg, Port Alexander, Point Baker, Port Protection, Sitka, South Thorne Bay, Tenakee Springs, Thorne Bay & Yakutat

Interim

201 Katlian Street Ste 103
PO Box 844
Sitka, AK 99835
(907) 747-4665
(877) 747-6276

Dear Community Leader,

I was honored to take my oath of office on Tuesday, January 17, 2023, and become a member of the Alaska House of Representatives. I am excited to serve residents of House District 2 during the 33rd legislature. **As a community leader in the district, you are an invaluable connection between what residents need and what happens in Juneau.** I rely on you to share local priorities, concerns, and ideas.

The House of Representatives organized last week and announced committee membership. I will be serving as a minority caucus member on the House Education Committee and the House Community and Regional Affairs Committee. I am excited to use my background as an educator and experience on the State Board of Education and Sitka Assembly in my committee work. Rest assured that I will also be keeping a close eye on the operating and capital budgets and advocating for priorities across our diverse district in all the legislation the House considers this session.

To advocate for your community effectively, I need to hear from you. Here are some suggestions for communication during the session and over the course of the 33rd legislature.

- Sign up for my electronic newsletter by [emailing](#) me, and please encourage your colleagues, friends and family to do the same. I hope to provide you with brief updates on a weekly basis during the session.
- Contact me with your ideas and thoughts on [legislation](#) and the [state budget](#), including bills and appropriations you'd like me to introduce, support or oppose.
- Enter your community capital budget requests into the [CAPSIS system](#) by the February 14, 2023, deadline.
- Monitor the [legislative calendar](#) and submit written testimony to [members of the committee](#) hearing the bill, or contact the [Juneau Legislative Information Office](#) or the [legislative information office in your community](#) to give verbal testimony on issues you care about.
- Let me know how [Executive branch agencies](#) are working to deliver services in your community.
- If an individual or organization in your community has accomplished something exceptional – a local team wins a state championship, a public safety official saves a life, or a local Tribal artist has a national exhibition – share the good news with me, so we can recognize their achievements.
- Call and visit me at my office in Juneau, or [contact my staff](#) to schedule a remote meeting.
- Invite me to important events in your community. I am committed to at least one in-person visit annually to each of the 15 communities in the district. Most of my travel will be when the legislature is out of session. If there is a specific time that would be good for me to visit you, please let me know.

Given the state's fiscal situation and the realities of divided government, I realize that this will likely be a difficult legislative session. However, I am ready for the challenge, and I am excited to work for you and all the residents of House District 2 as your new representative in the House. Please stay in touch! [Email](#) is a great way to reach me. Please be sure to copy my [staff](#) on your messages to ensure that we track your request and that you get a response.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Himschoot".

Representative Rebecca Himschoot
Alaska House of Representatives



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

ANCHORAGE
Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

PUBLIC NOTICE DATE:	February 1, 2023
EXPIRATION DATE:	March 3, 2023
REFERENCE NUMBER:	POA-2022-00381
WATERWAY:	Wrangell Narrows

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

All comments regarding this public notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the project manager's email as listed below or to regpagemaster@usace.army.mil. All comments should include the public notice reference number listed above.

All comments should reach this office no later than the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Andrew Gregory at (907) 753-2791, toll free from within Alaska at (800) 478-2712, or by email at Andrew.W.Gregory@usace.army.mil if further information is desired concerning this public notice.

APPLICANT: Christian W. Buschmann, P.O. Box 898, Petersburg, Alaska 99833

AGENT: Rick Braun, P.O. Box 211, Petersburg, Alaska 99833

LOCATION: The proposed project is located within Section 3, T. 59 S., R. 79 E., Copper River Meridian; Latitude 56.78835° N., Longitude 132.962369° W.; Back Forty Subdivision in Petersburg, Alaska.

PURPOSE: The applicant's stated purpose is to provide access and utilities for a residential development.

PROPOSED WORK: Construction of a 1,250-foot-long by 50-foot-long roadway. Within the roadway footprint would be overhead electric line and waterline utilities. Additionally, construction of three (3) 24-inch diameter culverts and one (1) 30-inch culvert. The total work includes discharge of 6,000 cubic yards of shot rock into 1.26-acre of palustrine wetland and 6.7 cubic yards of rip rap into 315-square-feet below the Ordinary High Water mark of four (4) unnamed tributaries. All work would be performed in accordance with the enclosed plan (sheets 1-3), dated January 2023.

APPLICANT PROPOSED MITIGATION: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

a. Avoidance: Avoidance of wetland impacts is difficult at lower elevations due to the high prevalence of wetlands within Petersburg. Uplands alternatives to avoid all wetland impacts are not feasible.

b. Minimization: The proposed project was designed to limit fill discharge to the minimum amount and size necessary to achieve the project purpose. Disturbed areas such as roadway cut and fill slopes will have erosion control ground cover and be revegetated. Silt fences and straw bales will be utilized along the roadway and at drainages to minimize sediment in runoff.

c. Compensatory Mitigation: No compensatory mitigation is proposed. The agent, on behalf of the applicant, has stated they do not believe compensatory mitigation is warranted for rural development projects that are small in size.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be entire proposed impact area. Consultation of the AHRS constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a No Historic Properties Affected (No Effect) determination for the proposed project. This application is being coordinated with the State Historic Preservation Office (SHPO), federally recognized tribes, and other consulting parties. Any comments SHPO, federally recognized tribes, and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work. The Corps is requesting the SHPO's concurrence with this determination.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) is required. However, any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

No EFH species are known to use the project area.

We have determined the described activity would not adversely affect EFH in the project area.

TRIBAL CONSULTATION: The Corps fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Corps, Alaska District, on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This public notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands,

cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

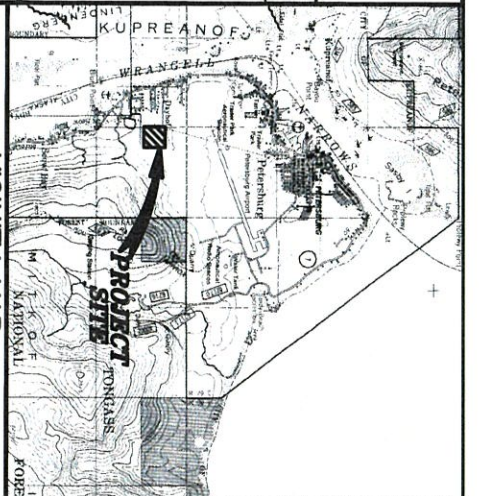
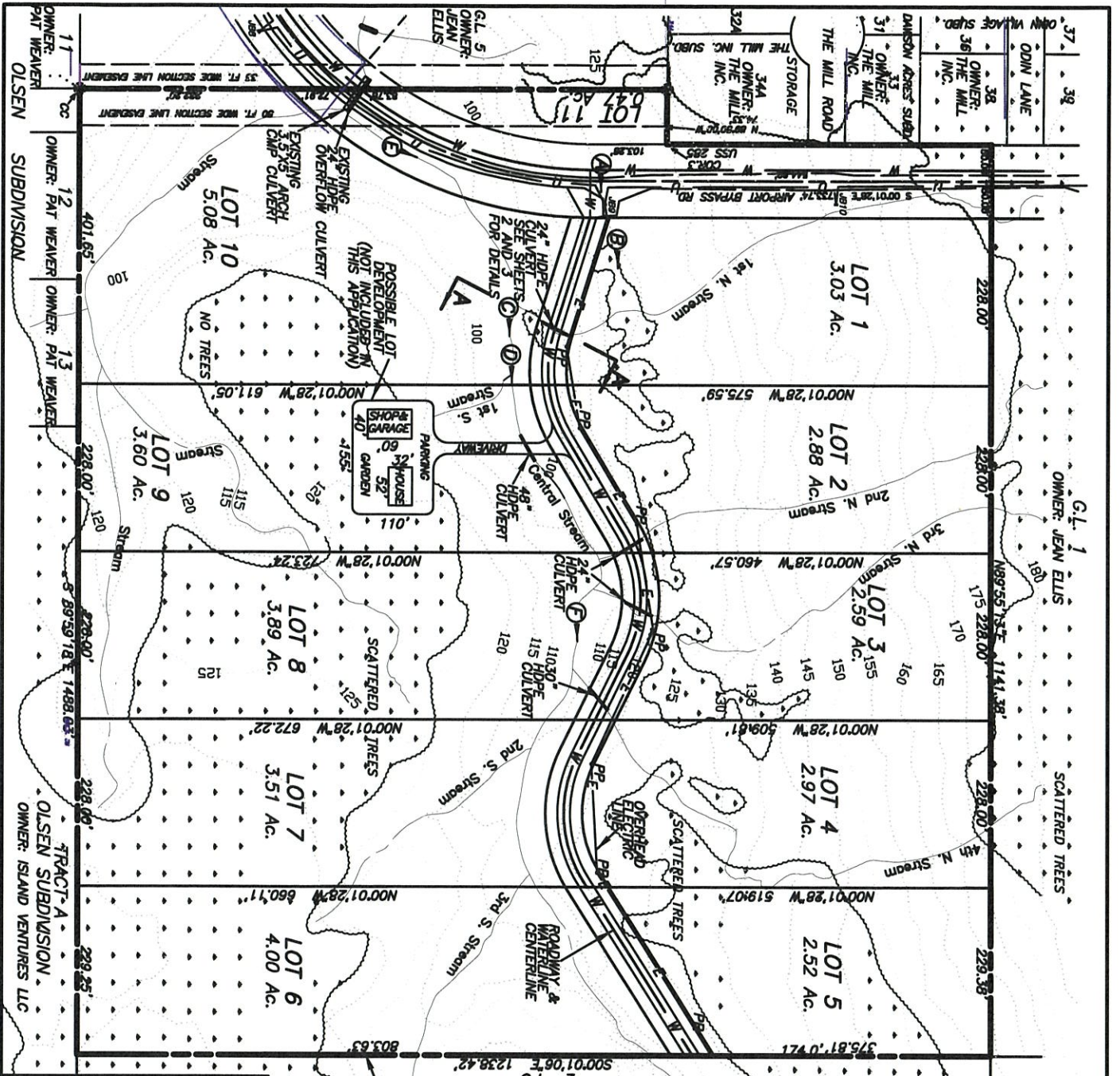
AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Project drawings are enclosed with this public notice.

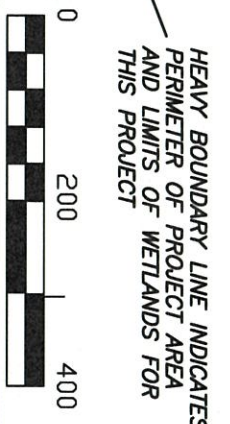
District Commander
U.S. Army, Corps

Enclosure



VICINITY MAP
 SOURCE: USGS QUADRANGLE
 PETERSBURG (D-3)
 DATE: 1986 SCALE: 1 INCH = 2 MILES

•pp POWER POLE
 (A) PHOTO INDEX AND DIRECTION
 OF PHOTO
 HEAVY BOUNDARY LINE INDICATES PERIMETER OF PROJECT AREA AND LIMITS OF WETLANDS FOR THIS PROJECT

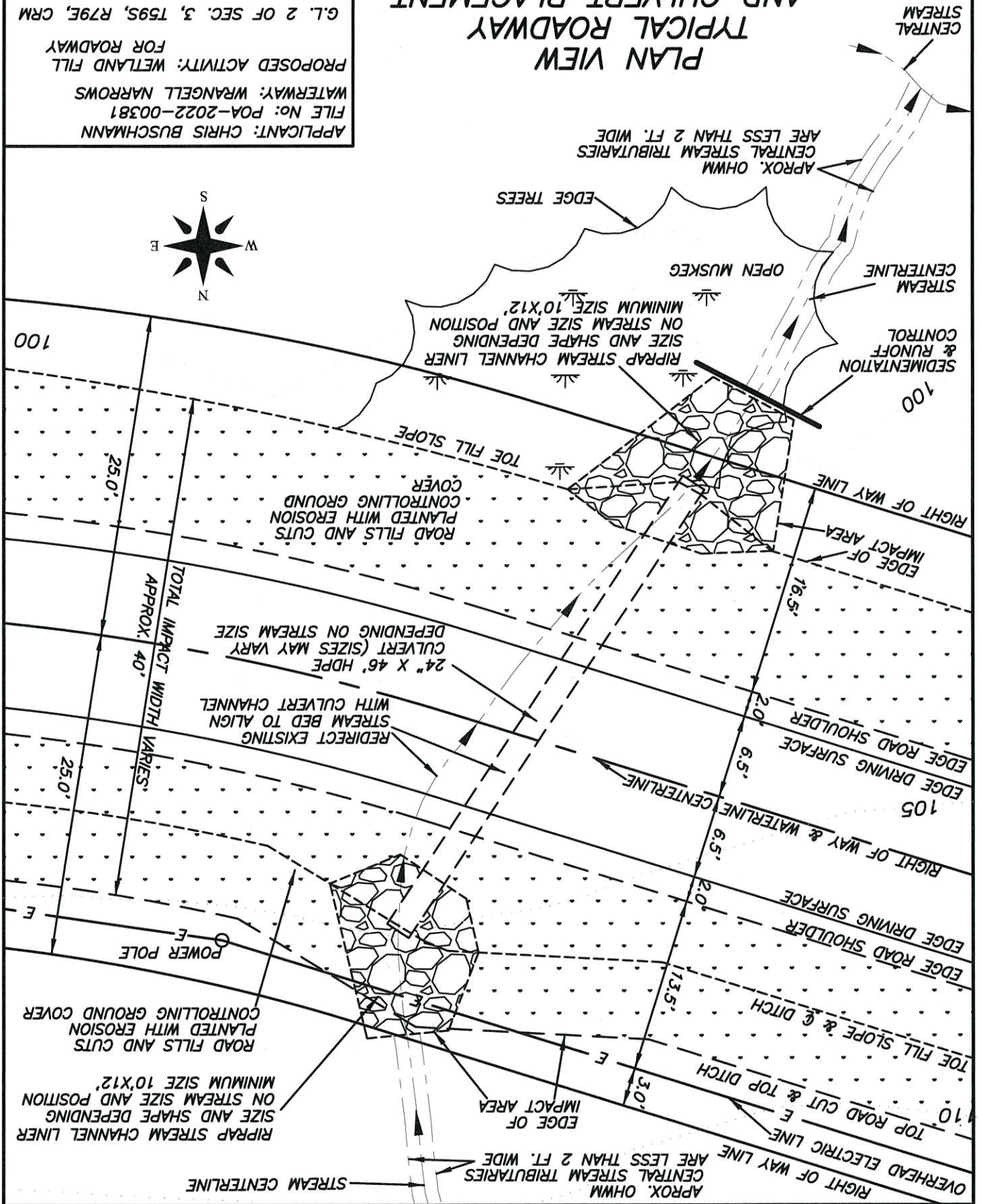


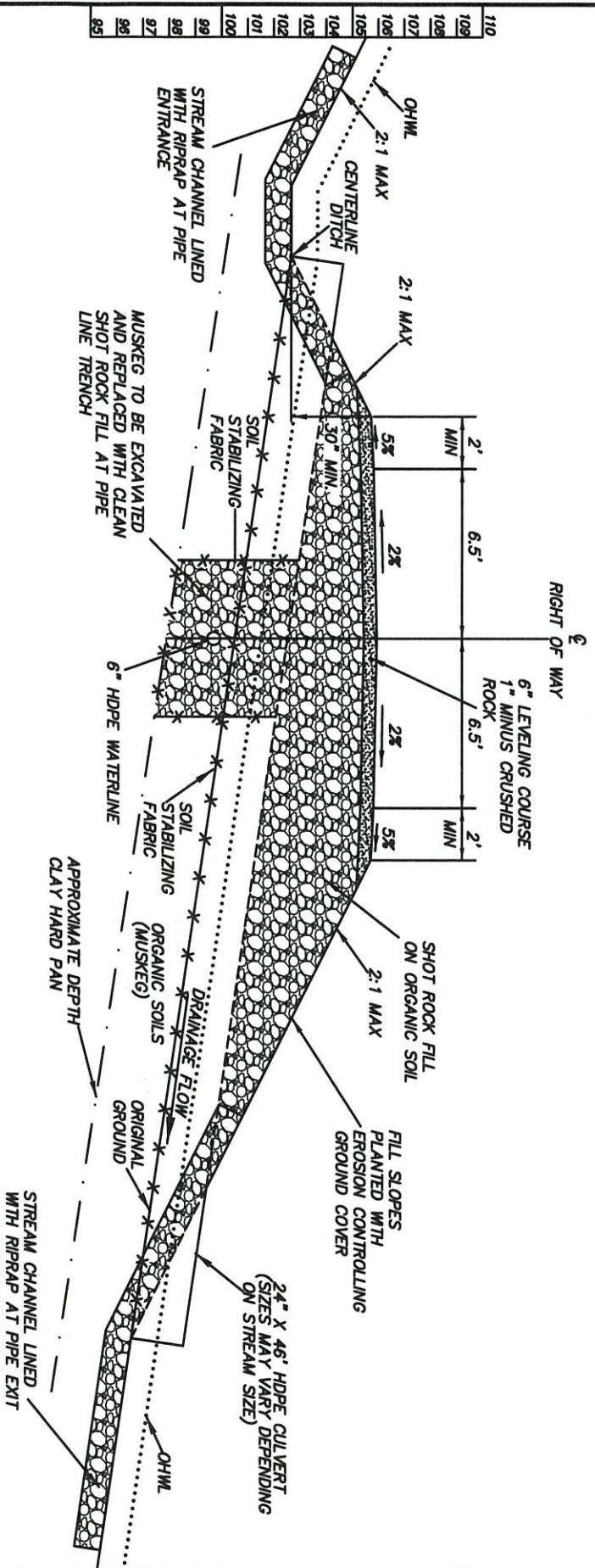
APPLICANT: CHRIS BUSCHMANN
 FILE No: POA-2022-00381
 WATERWAY: WRANGELL NARROWS
 PROPOSED ACTIVITY: WETLAND FILL FOR ROADWAY
 G.L. 2 OF SEC. 3, T59S, R79E, CRM 36.61 ACRES
 LAT. 56°47'18.06"
 LONG. 132°57'44.53"
 SHEET 1 of 3
 JANUARY 2023



PLAN VIEW TYPICAL ROADWAY AND CULVERT PLACEMENT

APPLICANT: CHRIS BUSCHMANN
 FILE NO: POA-2022-00381
 WATERWAY: WRANGELL NARROWS
 PROPOSED ACTIVITY: WETLAND FILL
 FOR ROADWAY
 G.L. 2 OF SEC. 3, T59S, R79E, GRM
 LAT. 56°47'18.06"
 LONG. 132°57'44.53"
 SHEET 2 of 3
 JANUARY 2023





SECTION A-A
TYPICAL ROAD AND CULVERT SECTION

STATE OF ALASKA
PETERSBURG BOROUGH
300 AIRPORT BYPASS ROAD

DIRECTIONS TO SITE: AT MILE 2.5 MITKOF HIGHWAY, TURN EAST ONTO HUNGERFORD HILL ROAD. DRIVE EAST FOR 0.15 MILES AND THEN NORTH FOR 0.12 MILES TO THE INTERSECTION OF HUNGERFORD HILL ROAD AND THE AIRPORT BYPASS ROAD. DRIVE 0.40 MILES ALONG THE BYPASS ROAD. THE PROJECT IS ON THE EAST SIDE OF THE ROAD.



APPLICANT: CHRIS BUSCHMANN
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LAT. 56°47'18.06"
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