

**ASSEMBLY MINING COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

January 18, 2018 5:30 PM

City Hall - Assembly Chambers

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. January 3, 2018 Minutes

IV. AGENDA TOPICS

A. Open Meetings Act Review

B. Overview of Title 49 and How Mines are Permitted in the CBJ

C. Next Meeting: February 1, 2018

D. Subcommittee Members' Comments and Questions

V. ADJOURNMENT

Note: Agenda packets are available for review online at <http://www.juneau.org>.

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ASSEMBLY MINING COMMITTEE

THE CITY AND BOROUGH OF JUNEAU, ALASKA

January 3, 2018 5:15 PM

DRAFT Minutes

Assembly Chambers

Committee members present: Chair Norton Gregory, Maria Gladziszewski, Beth Weldon, Paul Voelckers, Ben Haight (telephonic), Roman Motyka, John Kato

Other Assembly members present: Mayor Ken Koelsch, Deputy Mayor Jerry Nankervis, Mary Becker

City Staff Present: City Manager Rorie Watt, Community Development Director Rob Steedle, City Attorney Amy Mead, Planning Manager Beth McKibben, Executive Assistant Susan Phillips

Committee Chair Norton Gregory called the meeting to order at 5:15 p.m.

The agenda was approved, with the addition of two items: procedural issues and subcommittee comments.

The November 21, 2017 minutes were approved without objection.

The committee reviewed a document from City Manager Rorie Watt, providing an outline of administrative matters.

Ms. Gladziszewski said that she thought that the committee ought to have somewhat detailed minutes of their proceedings (rather than “high level notes”), due to the amount of interest that was being expressed in the committee.

Mr. Voelckers said that he thought it was premature to set an end date for the committee’s work.

Mr. Watt said that the committee should keep in mind the question, “how can the committee productively help the Assembly?” He also said that having a planned end date could help the committee work toward a goal.

Regarding public testimony, Mr. Gregory said that members of the public could comment at future Assembly and Planning Commission meetings.

Ms. Weldon suggested that the committee nail down a timeline. The committee agreed to meet every other Thursday at 5:30 p.m. The next meeting was scheduled for January 18, 2018. The committee hopes to complete its work by May.

Mr. Watt recommended that the committee accept Mr. Steedle as its staff liaison.

Ms. Weldon suggested that the committee invite Mr. Loeffler (consultant) to speak before the committee soon.

Ms. Gladziszewski said that the committee's webpage needed to be populated with more information and that a committee e-mail box needed to be set up, because comments are already coming in to the committee.

Mr. Gregory called the committee's attention to the agenda topic of conditional use permits (CUPs). He referred to a copy of the CBJ code regarding CUPs and a copy of the CBJ code on mining and exploration.

Mr. Voelckers commented that mining applications and CUPs go to the Planning Commission, which then makes recommendations to the Assembly. He explained the process as follows: an applicant meets with the CDD director in a pre-application conference. Information is assembled and initial findings are developed. The CDD director recommends either approval, approval with conditions, or denial of the CUP. A packet is sent to the Planning Commission which holds a public hearing. The Planning Commission then makes a recommendation to the Assembly.

In response to a question from Ms. Weldon, Mr. Voelckers explained the difference between a CUP and an allowable use permit.

Mr. Steedle explained that with an allowable use permit, the Planning Commission cannot deny the application – it can only condition it. Allowable use permits are used in rural areas. He said that most prospective mining development would occur in the urban areas of the borough.

Ms. Mead said that the CUP process would be used in urban areas, and the allowable use permit process would be used in rural areas, or if the project had to undergo state or federal review.

Ms. Mead said that 49.65 limits what the Planning Commission and the CDD Director can consider.

Ms. Gladziszewski said that for mining applications, there is an interplay between the CUP process and the mining ordinance. She said that the whole committee needed to be educated on these processes.

Ms. Mead commented that Title 49 has general provisions while 49.65 is very specific.

Ms. Weldon asked if the mining ordinance covered questions that a CUP could cover.

Ms. Mead discussed discretionary versus mandatory permits. She said that when the mining ordinance was approved, it was specific to the mining industry. The Assembly wanted the department and the Planning Commission to consider certain things.

Mr. Voelckers said that the normal CUP process is much simpler than the process set out for mines in 49.65.

Mr. Steedle said that it would help the committee if staff prepared a memo contrasting the processes of the CUP versus those of the mining ordinance.

Ms. Mead said that projects go through the same department review, whether they are CUPs or based on the mining ordinance. She added that the CUP process gives the department broad discretion as to what projects aspects to consider, while the mining ordinance is more specific. But, she said, the overall process is the same.

Ms. Gladziszewski said that she would like the committee to have “pre-loaded” binders containing certain information.

Mr. Gregory said that the binders should include:

- The Jade North (Loeffler) report

- The mining ordinance

- Public Comments

- The CUP process

- Materials provided by Mr. Jim Clark

- The analysis by CSPP

Mr. Haight stated that he would like to have information from the 2011 development of the mining ordinance.

Ms. Gladziszewski said that would be a massive amount of paper. She commented that there is a link on the city’s website for that information. She suggested including the 2011 final report, which is only about 40 pages.

Mr. Gregory said that staff would send the committee the link to the 2011 information.

Mr. Gregory said that he would like the committee to hear from Mr. Loeffler, Mr. Clark, and SEACC’s Guy Archibald soon.

Ms. Gladziszewski commented that the committee had not yet decided when and if to hear from the public.

Mr. Gregory said that he preferred to receive public comments in writing. He said that in addition to written comments, the public would be able to comment directly to the Planning Commission and the Assembly.

Ms. Gladziszewski said that the committee needed to hear from experts.

Mr. Motyka said that he would like to hear from the public.

Mr. Haight said that the committee should hear from the public.

Mr. Gregory said that staff would update the website and provide materials to the committee members.

The meeting was adjourned at 6:04 p.m.