



City of Homer

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Office of the City Manager

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City Manager's Report

TO: Mayor Wythe and Homer City Council

FROM: Katie Koester, City Manager

DATE: April 22, 2015

SUBJECT: City Manager's Report

Mental Health Trust Land Sale

The Council had lingering questions after the April 13 City Manager's report regarding the Mental Health Trust land at the mouth of the harbor.

In 2013 while acquiring right of way for the construction of the Homer Spit Trail it came to the City's attention that what is known as 'Lot 42' at the mouth of the harbor was not wholly owned by the City. This is where the trail to Coal Point Park is and where rip rap was installed to protect the trail from erosion along the mouth of the harbor. It is a confusing title situation: likely what happened is in the 90's the small boat harbor was re-platted without recognizing the Trust owned the property. From the best the City can tell DNR owns a small 30 foot strip, the City owns the triangle of land at the back corner of the lot, and the Trust owns the rest, including an oddly configured strip of land that goes through the mouth of the harbor. There are many reasons it is in the best interest of the City to have clear title to this land: it is the mouth of the harbor, is crossed by a City trail, and its location close to the fish dock makes it an ideal space for potential economic development opportunities. Icicle is the current lessee and they use the land for storage.

The Trust is amendable to the sale of the land and is moving forward with having the parcel appraised (see attached letter RE: Agreement of Appraisal Scope of Services). The direction to the appraiser includes appraising it as raw land with no improvements (i.e., the rip rap that the City installed cannot be used to increase the value of the lot). Also, the land that extends into the harbor will be assessed as tidelands. Further action and any decision on whether or not to purchase the land will come before Council after the appraisal is complete, sometime later this summer.

Lake Street Rehabilitation

The 2015 amendment to the Statewide Transportation Improvement Plan (STIP) delays funding for Lake Street Rehabilitation (Rehabilitate pavement of approximately 0.47 miles, construct a sidewalk on both sides of the road, improve the intersection at Pioneer to enhance safety, and provide drainage improvements).

Over \$300,000 was scheduled to be spent this year on initial stages of the project. This has been delayed until 'after 2015.' City Planner Abboud submitted public comment from the City expressing the need for the project in the attached letter.

Main Street Intersection

DOT has selected an alternative for Main Street Intersection Improvements. Known as 'option 3' in the public meetings held, it is a stop light with a turning lane. The attached letter from DOT explains their reasons for not selecting a roundabout (cost of right of way acquisition) and the need for a turning lane (safety). According to conversations City Planner Abboud has had with DOT, if ROW acquisition goes smoothly, they plan on advertising for project construction in 2016. A 4-directional flashing red beacon will be installed at the Pioneer and Main Street intersection by October 31 of this year.

Kachemak Drive

As you are aware, approximately 100 feet of Kachemak Drive sloughed into Mud Bay around 8am Sunday morning April 19 about ½ mile in from the intersection of Ocean Drive/Homer Spit Road and Kachemak Drive. City of Homer Police Department was on the scene early, barricaded the road and contacted AKDOT/PF. As of Monday April 20 DOT was hoping to complete repairs in one week. Under that timeline the road should be repaired by the time of the Council meeting. I hope to be able to provide additional verbal updates at the meeting. The City is very interested in Kachemak Drive being repaired quickly. With summer season around the corner there are boats that need to travel to the harbor, people who need to be able to quickly get to their boats and shops, and many other businesses along Kachemak Drive, including the old airport, where convenient access is critical, not to mention the many residences along Kachemak Drive. Kachemak Drive is also a Tsunami evacuation route and having it closed is a safety concern. We will be following the repairs closely and applaud DOT for understanding the need to respond quickly to the situation.

Assistant City Manager

I am planning on evolving the Community and Economic Development Coordinator position to an Assistant City Manager position. Many of the job duties and functions will remain the same. The Assistant job description pulls some things that I was doing for the City over to the City Manager job (legislative relations, coordinating strategic doing, and representation on certain boards for the City) and adds coordinating the Social Media Policy, land management, and eventually some supervisory authority.

Eleven people report directly to the City Manager. In order for every Department/Division to get the attention it deserves from their manager, in time I foresee the Assistant taking over the supervision of a couple Departments or Divisions. However, I want to wait until I have some time under my belt with all of the Departments/Divisions and the Assistant has time in the position to have an understanding of how to structure the best possible fit for the City.

The Assistant City Manager will be expected to maintain grant research and oversight, though actual grant writing will depend on capacity at the time of the application. In the past 2 years

I have not written any substantial grants and have been fully tasked in the Community and Economic Development Coordinator position. A grant writer can be contracted at less than the cost of staff time, would accurately represent the cost of the grant, and in some cases reimbursement can be written into the grant. That being said, in times of declining state revenue, we will need to be turning over more rocks for opportunities and grant research to identify potential opportunities will be an important component of the job.

There are many benefits to an Assistant City Manager position. The Assistant will provide continuity for the Council and staff when the City Manager is absent, allow more representation of the City in the community and more accurately reflects the duties of the position (marketing, economic development, special initiatives by the manager/council). Salary will be absorbed within the current budget. The position will be posted this week.

USCG Solicits Public Comment on Decommissioning Oil Spill Response Equipment Caches

Prince William Sound Regional Citizens' Advisory Council sent the attached notice to the City asking for member organizations to comment in favor of keeping USCG oil spill response equipment Caches in the region. The Coast Guard is recommending decommissioning the caches due to funding constraints. Comments are due by July 1. Please let me know if the Council would like to take any action on this or request further information.

Cook Inlet Harbor Safety Committee

After the Seabulk Pride grounding in 2006, Cook Inlet RCAC received funding to conduct a Risk Assessment for Cook Inlet. Homer was invited to participate and Harbormaster Hawkins represented the City in the study. One of the main recommendations from the Assessment was to form a Harbor Safety Committee (HSC). According to Hawkins, the HSC is a group of industry professionals coming together to address specific maritime safety issues who will then make advisory motions to the USCG Captain of the Port (person in charge). This management method has proven to be very effective in other major US waterways. The need for such an organization is justified given the volume of large vessel traffic and sensitive cargo in Cook Inlet. Nuka Research is soliciting comments of the draft charter (see attached letter from Nuka Research and draft charter). With your approval, I will draft a letter from the City expressing support for the Harbor Safety Committee and reinforcing the need to keep safety and protecting Kachemak Bay and Cook Inlet a top concern. Comments are due by May 20.

Cook Inlet Waterways Suitability Assessment for Cook Inlet

Alaska LNG has submitted a Waterways Suitability Assessment for Cook Inlet. The first meeting was a planning session held in Anchorage on March 31st. Harbormaster Hawkins attended and will be following this issue closely due to the potential impact of AKLNG on our Port and Harbor and Kachemak Bay. The assessment is necessary due to the proposed increase in traffic and the size of the proposed fleet. AKLNG is proposing 20 Panamax tankers (thousand foot class) per month for 30 years. The next meeting will be a three day work session in Anchorage.

Enc:

Agreement of Appraisal Scope of Services for Three Mental Health Trust Parcels

Letter to DOT from City Planner RE: 2012-2015 STIP Amendment 14: Need ID 23197, Lake Street Rehabilitation

Letter from DOT RE: Main Street Intersection Alternative Selected

Email from Prince William Sound RCAC Requesting Public Comment on the USCG Decommissioning of Oil Spill Response Equipment

Letter from Nuka Research RE: Cook Inlet Harbor Safety Committee, Draft Charter for Public Review

April 6, 2015



2600 Cordova Street, Suite 100
Anchorage, AK 99503
Tel 907.269.8658
www.mhtrustland.org

Carey Meyer, P.E., MPA
Public Works Director/City Engineer
City of Homer
3575 Heath Street
Homer, AK 99603

via email at
cmeyer@ci.homer.ak.us

**RE: Agreement of Appraisal Scope of Services for Three Mental Health Trust Parcels
MHT 9200607
MH Parcels: SM-0335, SM-0339, and SM-0342**

Dear Mr. Meyer:

The Trust Land Office (TLO) is processing the City of Homer's (City) application to purchase three Mental Health Trust parcels on the Homer Spit through a negotiated sale. As we discussed in previous communications, it would be in the best interest for both the City and the TLO to mutually agree on the appraisals terms and the assumptions. Below are the agreed upon terms and the assumptions of the appraisals.

1. The TLO will procure the services of Black-Smith, Bethard & Carlson, LLC to perform the appraisal but acknowledge that Derry and Associates will be used if the City does not find the results of the first appraisal acceptable.
2. The parcels to be appraised have the following legal description:
 - a. Township 07 South, Range 13 West, Seward Meridian, Alaska
Section 1: Lot 4 in Block 2 of Engineering Plat File No. 28-96, Coal Bay Alaska Subdivision. Containing 0.595 acres, more or less.
According to the survey plat filed in the Homer Recording District on December 3, 1963 as serial no. 63-1097.
 - b. Township 07 South, Range 13 West, Seward Meridian, Alaska
Section 1: Parcel 2 of Engineering Plat File No. 28-96, Coal Bay Alaska Subdivision Containing 1.00 acres, more or less.
According to the survey plat filed in the Homer Recording District on December 3, 1963 as serial no. 63-1097.

- c. Township 07 South, Range 13 West, Seward Meridian, Alaska
Section 1: Lot 1 of Engineering Plat File No. 34-27
Containing 0.22 acres, more or less.
According to the survey plat filed in the Homer Recording District on December 3, 1963 as serial no. 63-1094.
3. The appraisals will meet the most current Uniform Standards of Professional Appraisal Practice (USPAP) standards as published by the Appraisal Foundation.
4. The appraisals will use the definition from page 23 of The Appraisal of Real Estate, Thirteenth Edition, 2008, to define market value as, "The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress."
5. The appraisals must include identification of the appraisal problem and scope of work (part of USPAP standards).
6. The appraiser must make an onsite inspection of the property.
7. Appraisals must contain onsite photographs that clearly illustrate the character and quality of the property. Photographs may be used by the TLO for any other purpose without additional compensation to the appraiser.
8. Appraisals must contain comparable sale data with comparable sale locations mapped in relation to the appraised property.
9. Data Analysis and Conclusions. Data will include market analysis, highest and best use, and land valuation. Adjustments made in relating comparable transactions to the subject property must be discussed and presented in an adjustment table.
10. The appraisal reports are a public document that may be made available to the public upon request. The appraisals shall not contain any language that restricts public use.
11. The appraisal will include the following assumptions:
 - a. The parcel boundaries will be defined from the 1963 Engineering Plat File No. 28-96 and the 1963 Engineering Plat File No. 34-27.
 - b. The parcels will be appraised as raw land with no improvements.
 - c. The parcels will be appraised free and clear of any clouds on the title.
 - d. That portion of Trust parcel SM-0339 that extends in the harbor will be considered tidelands.
12. The City will receive a hard copy and a digital format of the appraisal.
13. The City will reimburse the TLO for all appraisal costs. The reimbursement of the appraisal will be paid to the TLO before a deed will be issued.

It is estimated the appraisals will cost between \$6,000 and \$8,000. The appraisals will be completed no later than June 30, 2015.

By signing below the City of Homer and Trust Land Office has read and agrees to the terms and assumptions of the appraisals stated in this letter for the three described Trust parcels on the Homer Spit.

Sincerely,



Victor Appolloni
Southcentral Area Lands Manager



Cindi Bettin, Senior Lands Manager
Trust Land Office

4/15/15

Date



Marvin Yoder, Interim City Manager
City of Homer

April 13, 2015

Date



City of Homer

www.cityofhomer-ak.gov

Planning

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April 16, 2015

State of Alaska Department of Transportation & Public Facilities

Division of Program Development

ATTN: STIP

PO BOX 112500

Juneau, AK 99811-2500

dot.stip@alaska.gov

RE: 2012-2015 STIP Amendment 14: Need ID 23197, Lake Street Rehabilitation

The City of Homer strongly recommends that funds scheduled for FY 2015 remain and that the project, for which substantial resources have already been invested in the environmental assessment, public meeting, and design, not be indefinitely delayed.

Lake Street is an essential connection and preferred truck route between the Sterling Highway and East End Road. It represents one of the three major surface transportation routes through Homer. Lake Street has not undergone a major rehabilitation project since 1997. The pavement, excluding the abnormally mild winter this year, routinely experiences major failure every year. The thin asphalt overlays applied to sections of the street in 2011 and 2013 are not expected to offer any structural correction of the deficiencies that will inevitably lead to reoccurrence of the annual failures.

Please reconsider your proposal and leave the funds appropriated for FY15 for the continuation of the project without undo delays.

Sincerely,

Rick Abboud
City Planner



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Transportation
and Public Facilities

DESIGN & ENGINEERING SERVICES
Traffic Safety & Utilities

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Fax: 907.269.0654

April 10, 2014

Mr. Walt Wrede, City Manager
Homer City Hall
491 East Pioneer Avenue
Homer, AK 99603

Dear Mr. Wrede :

This letter is to inform you that the State of Alaska Department of Transportation (ADOT) has selected an alternative for the Sterling and Main Street intersection improvements. The three alternatives reviewed to solve intersection crashes and improve traffic flow are a roundabout, a signal with no turn lanes and a signal with turn lanes.

ADOT considered the impacts of each alternative including Right of Way (ROW), cost and project schedule. Both the signal alternatives have less ROW impact, cost and provide a faster project delivery schedule than the roundabout option. The signal with right turn lanes will provide better traffic operations over the signal with no turn lanes. Constructing the turn lanes can be completed at a much lower cost as part of the initial signal installation, rather than revisiting the intersection to install the turn lanes in the future. Based on this information, we will move forward with design of the signal with turn lanes alternative.

Signals constructed by ADOT outside of the Municipality of Anchorage continue to be budgeted and maintained by ADOT&PF. As budgets are constrained and more signals are desired in the future, it will be valuable for our agencies to discuss long term funding of maintenance for signals before more are constructed.

Sincerely,

A handwritten signature in cursive script that reads "Carla J. Smith".

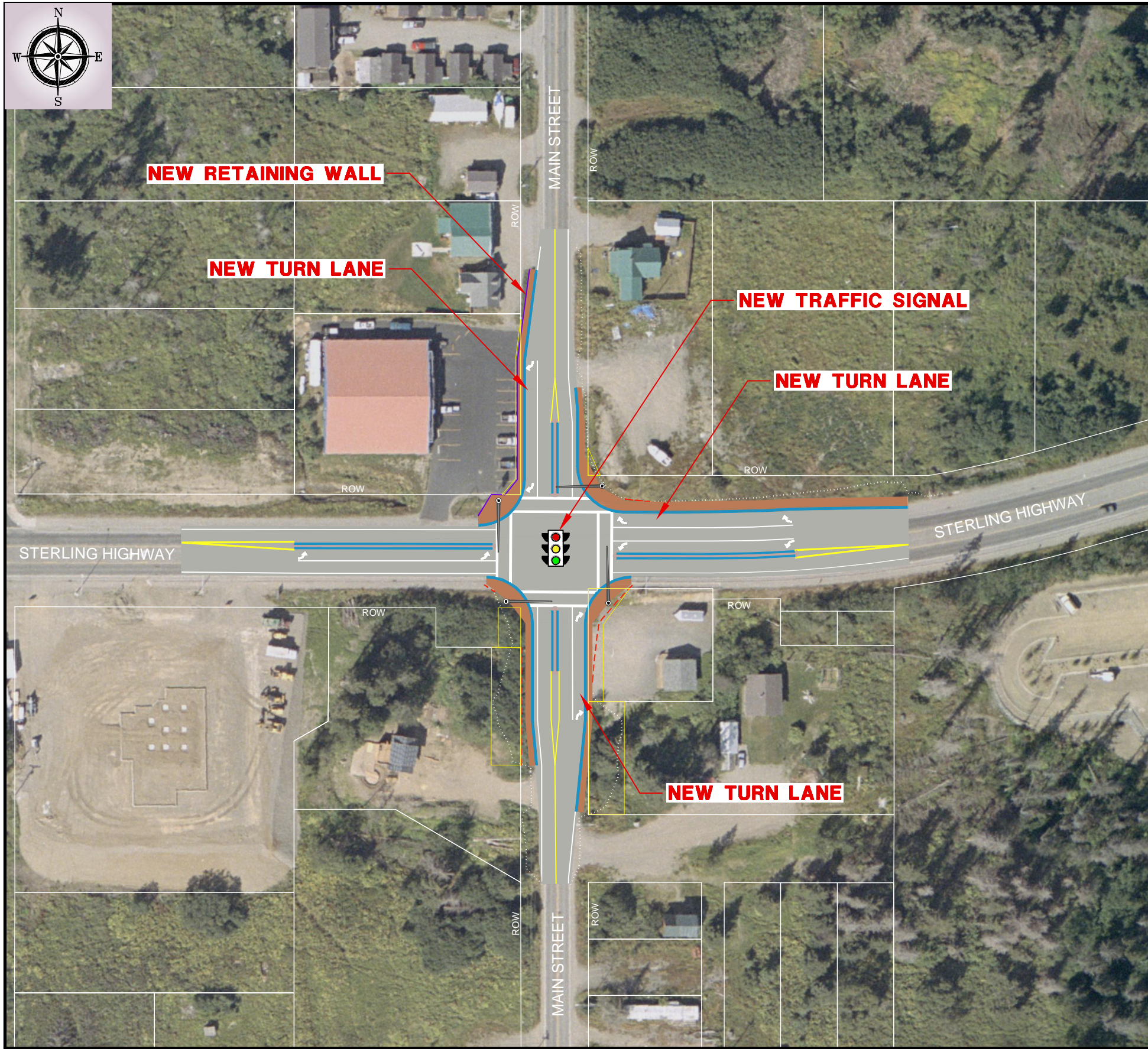
Carla J Smith, P.E

carla.smith@alaska.gov

RECEIVED

APR 24 2014

CITY OF HOMER
PLANNING/ZONING



DOT(CR) HSIP
STERLING HWY AND MAIN ST IMPROVEMENT
ALTERNATIVE 3 - SIGNAL WITH NEW TURN LANES



Marvin Yoder

From: Swanson, Mark A <mark.swanson@pwsrcac.org>
Sent: Friday, April 17, 2015 4:19 PM
Subject: The USCG is seeking public comment on a proposed decommissioning of remotely located oil spill response equipment trailers (caches) throughout Alaska

Prince William Sound Regional Citizens' Advisory Council (RCAC) Member Entities, Board and Committee Members and Other Interested Stakeholders:

The U.S. Coast Guard (USCG) is seeking public comment by July 1, 2015 on the proposed decommissioning of their oil spill response equipment caches located throughout Alaska. This equipment is pre-positioned in remote areas to help local communities mount an early response to pollution incidents in order to minimize environmental damage. The justification for their removal is mostly due to the cost of maintaining this equipment because of the remote location of many of the sites. Another justification is that many of the caches are co-located with other oil spill response equipment owned by private oil spill response organizations or the State of Alaska. More information on the specific locations of the USCG Alaska-based equipment caches, including a complete inventory of equipment at each location, can be found at: <http://www.uscg.mil/d17/D17%20Divisions/drm/DRAT/DRATpage.asp>

The Prince William Sound Regional Citizens' Advisory Council (RCAC) strongly supports retaining the USCG equipment caches in our region, including Chenega Bay, Cordova, Valdez, Port Graham, Seward, Kodiak, Homer and Kenai. Equipment caches in locations outside our region are equally important for the same reasons, and span from the Pribilof Islands to Unalaska all the way down to Ketchikan (see attached U.S. Coast Guard map with specific locations). In many cases, USCG-owned equipment may be the first and only line of defense to respond to and protect sensitive areas during the early hours of an oil spill. Additionally, other equipment that may be co-located, but owned by private oil spill response organizations, may not necessarily be made available to a community for use on a spill that is not directly related to a client of that private organization.

Attached in the following link <http://www.pwsrcac.org/announcements/the-u-s-coast-guard-is-seeking-public-comment-on-the-proposed-decommissioning-of-their-oil-spill-response-equipment-caches-located-throughout-alaska/> is a letter the Prince William Sound RCAC submitted to the USCG in support of retaining these important oil spill response caches. We encourage you to consider sending your own letter of support, or sending a letter endorsing our comments. We also encourage you to distribute this information to other communities, organizations or individuals that might be interested. The USCG needs to receive support from interested stakeholders in order to justify the funding required to maintain these equipment caches.

Comments are due to the U.S. Coast Guard by July 1, 2015 and should be directed to:

Admiral Dan Abel
Daniel.B.Abel@uscg.mil

and

LT James Nunez
james.d.nunez@uscg.mil

17th Coast Guard District
P.O. Box 25517
Juneau, AK 99802-5517

Specific questions to the USCG can be directed to LT James Nunez at (907) 463-2806. Any questions regarding this transmittal or the PWSRCAC's comments can be directed to Mark Swanson at (907) 834-5060. Thank you, in advance, for your consideration of this important oil spill response tool.

Respectfully

Mark Swanson
Executive Director,
Prince William Sound Regional Citizens' Advisory Council
PO Box 3089, 130 South Meals.
Valdez, Alaska, 99686

Valdez Office: 907.834.5060
Anchorage Office: 907.273.6225
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E-mail: mark.swanson@pwsrcac.org
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Nuka Research & Planning Group, LLC

P.O. Box 175

Seldovia, Alaska 99663

tel 907.234.7821 • fax 240.368.7467

contact@nukaresearch.com



April 20, 2015

Re: Cook Inlet Harbor Safety Committee, Draft Charter for Public Review

Dear Sir or Madam:

One of the key recommendations from the Final Report of the Cook Inlet Risk Assessment (CIRA) is the formation of a Cook Inlet Harbor Safety Committee (HSC). The recommendation states:

The Advisory Panel recommends that a Harbor Safety Committee be established for Cook Inlet. A Cook Inlet HSC would provide a continuum started by the CIRA by gathering a group of individuals with diverse perspectives to identify potential problems, develop or recommend nonregulatory mitigation measures, and evaluate the success or areas of improvement. The Cook Inlet HSC would provide a means of prioritizing the consideration of relevant topics and mitigation measures.

On November 13 last year we held a meeting in Kenai to introduce the concept of developing a Harbor Safety Committee for Cook Inlet. Forty-five members of the maritime community in Cook Inlet attended the meeting and there was almost universal support for the concept of developing a HSC.

After the meeting in November, the CIRA Management Team established a Convening Workgroup (CW) to work through the process of establishing a HSC based on the following principles:

- The process will be conducted in as **transparent** and **inclusive** manner as possible in order to found a HSC that will have the **credibility** necessary to conduct business effectively.
- The Cook Inlet HSC will have the opportunity/authority to modify the structure, charter, and membership once formed.
- Once the CW has developed a draft structure, charter, and membership, these documents will be published for public review and comment. The CW will consider all comments and modify the draft documents, as they deem appropriate.
- Interested parties will be invited to apply for membership on the Cook Inlet HSC via a public solicitation. They will be required to submit a letter of interest and a statement of qualification.

The Convening Workgroup consisted of the following individuals:

Captain Ed Page, Marine Exchange of Alaska

Captain Lynn Korwatch, Harbor Safety Committee of San Francisco Bay Region

Captain Marc Bayer, Tesoro Maritime Company

Captain Ron Ward, Southwest Alaska Pilots Association

Gary Folley, Alaska Department of Environmental Conservation

Steve Catalano, Cook Inlet Regional Citizens Advisory Council

Captain Paul Mehler, USCG COTP Western Alaska
Commander Hector Cintron, U.S. Coast Guard, Sector Anchorage
Lieutenant Eugene Chung, U.S. Coast Guard, Sector Anchorage

The CW met four times since February to developed the attached Draft Charter Document. The Charter sets out the mission and scope of the HSC, as well as the structure and other important organizational information. We would appreciate your review and comments on this document by May 20, 2015. Comments can be submitted by the following means:

Email: cira.comments@nukaresearch.com

Fax: 240.368.7467

Mail: c/o Nuka Research, PO Box 175, Seldovia, AK 99663

After the review period, the CW will finalize the Charter, a Managing Board will then be established, and the process of soliciting and selecting the initial membership with begin. We hope to convene the first meeting of the HSC in June.

Sincerely,

Michael Munger,
Executive Director,
Cook Inlet RCAC

Steven Russell
Alaska Dept.
Environmental Conservation

Paul Mehler
Captain, U.S. Coast Guard
Captain of the Port Western Alaska
Sector Anchorage

Cook Inlet Risk Assessment Management Team:

**Cook Inlet Regional Citizens
Advisory Council**
910 Highland Avenue
Kenai, Alaska 99611
tel 907.283.7222 • fax 907.283.6102

**Alaska Department of Environmental
Conservation**
555 Cordova Street
Anchorage, Alaska 99501
tel 907.269.3063 • fax 907.269.7649

United States Coast Guard
SECTOR ANCHORAGE
510 L Street, Suite 100
Anchorage, Alaska 99501-8545
tel 907.271.6700 • fax 907.271.6751



Public Review DRAFT

Charter

17th April 2015

1. Charter

This Charter establishes the Cook Inlet Harbor Safety Committee (HSC) mission, scope, organizational structure, and membership. This Charter may be amended by the Managing Board.

2. Mission

The mission of the Cook Inlet HSC is to enhance marine safety and environmental stewardship through collaboration of the maritime community and other stakeholders. The purpose of the Cook Inlet HSC is to provide a forum for identifying, assessing, planning, communicating, and implementing operational and environmental practices beyond statutory and regulatory requirements that promote safe, efficient and environmentally sound maritime operations in the Cook Inlet. Maritime safety, accident prevention, and waterways management will be the primary focus of the Cook Inlet HSC. Planning and response to oil spills and hazardous substances is the domain of the Cook Inlet Subarea Committee, but the nexus of prevention and response planning will be considered by the Cook Inlet HSC.

The Cook Inlet HSC will accomplish its mission by developing Standards of Care and best practices for maritime operations in the Cook Inlet waterway. The HSC may act as an education and resource network for the dissemination of information to waterway users. The HSC may provide recommendations to regulatory bodies on maritime safety issues and seek actions to enhance maritime safety. The HSC will serve as a subject matter expert for Cook Inlet and be the facilitator for bringing together all relevant maritime stakeholders to identify and resolve, when possible, waterway management issues through the adoption of best practices and Standards of Care.

3. Scope

The geographic scope for the HSC will be the Cook Inlet waterway encompassing the marine waters and coastal areas from the seaward boundary of a line drawn from the southernmost extremity of Kenai Peninsula at longitude 151° 44.0 W to East Amatuli Island Light; to Latx Rocks Light north of Shuyak Island; thence to the eastern most extremity of Cape Douglas.

4. Organizational Structure

The Cook Inlet HSC consists of a Managing Board, the Harbor Safety Committee, and work groups.

4.1 Managing Board

An independent Managing Board oversees the organization and administration of the Cook Inlet HSC. Serving in the manner of a “board of directors,” the members of the Managing Board provide the executive functions for the non-profit organization.

The Managing Board consists of the following individuals:

- President, South West Alaska Pilots Associations (SWAPA)
- Director of Operations, Cook Inlet Regional Citizen’s Advisory Council (CIRCAC)
- Two marine industry representatives from different sectors (to be selected for a three year term by the other members of the board)

- Chairman of the Cook Inlet HSC

The Managing Board will select and appoint the primary voting members and their alternates from a list of qualified applicants. With the exception of the Chairman of the HSC, members of the Managing Board are not eligible to serve on the HSC.

4.2 Cook Inlet Harbor Safety Committee

The Cook Inlet HSC is the deliberative body, responsible for carrying out the mission of the organization. They provide the forum for discussion of issues related to matters of waterway safety and management and they establish appropriate best practices and Standards of Care for safe operations in the waterway. The HSC is responsible for the development and adoption of a Harbor Safety Plan for the Cook Inlet Waterway.

A Chairman and Vice Chairman are appointed by the Managing Board for a two year term to lead the HSC.

4.3 Work Groups

The Cook Inlet HSC shall have the ability to establish work groups as needed to address specific issues. Work groups may be standing work groups working on specific, long-range strategic goals or they may be temporary ad-hoc work groups with short-term objectives. The HSC will establish mission or scope-of-work statements that will serve as a work group's guide for measuring progress and success.

Two standing work groups are established through this charter:

- Navigational Safety Work Group to be chaired by a SWAPA Pilot
- Harbor Safety Plan Work Group to be chaired by USCG Sector Anchorage Waterways Management Chief

The Chairman of the HSC will appoint a chairman for any additional work groups formed by the Cook Inlet HSC.

Work groups will operate by consensus of those present and shall present their recommendations to the HSC for approval.

4.4 Secretary

The Secretary of the HSC will be the Chief of Waterways Management Division from USCG Sector Anchorage or his/her designated representative. The Secretary will take notes/minutes during the meetings and provide updates/recommendations to the USCG Captain of the Port.

5. Membership

The membership of the Cook Inlet HSC includes voting and non-voting members.

5.1 Voting Membership

The voting membership seats will be filled by a primary and alternate members appointed from qualified applicants for each of the following 20 stakeholder categories:

- | | |
|-------------------------------------|-----------------------------------|
| (a) Commercial Fishing Organization | (c) Marine Oil Terminal Operators |
| (b) Environmental Organization | (d) Tanker Operators |

- | | |
|---------------------------------------------|-----------------------------------|
| (e) Liquefied Natural Gas Carrier Operators | (n) SWAPA |
| (f) Dry Cargo Ship Operators | (o) CIRCAC |
| (g) Cruise Ship Operators | (p) Port of Anchorage |
| (h) Small Passenger Vessel Operators | (q) Port MacKenzie |
| (i) Ferry Operators | (r) Port of Homer |
| (j) Tug and Barge Operators | (s) Response/Salvage Organization |
| (k) Harbor Tug Operators | (t) Ship Agents |
| (l) Offshore Oil Production Operators | |
| (m) Recreational Boaters | |

In order to qualify as a member for seats 4.1(a), (d), (e), (f), (g), (h), (i), (j), (k), and (n) an individual must have maritime expertise as documented by one of the following:

- i. Has held or currently holds a Merchant Officer's credential,
- ii. Has held or currently holds a position on a commercial vessel that includes navigational responsibility, or
- iii. Has or currently holds a position in a company that operates commercial marine vessels in Cook Inlet.

Individuals with onboard navigational experience will be given preference.

In order to qualify as a member for seats 4.1(b), (c), (l), (m), (o), (p), (q), (r), (s), and (t) an individual must reside in the Matanuska-Susitna Borough, Municipality of Anchorage, the Kenai Peninsula Borough, or another Alaska community that is contiguous to Cook Inlet and present evidence that they are a member or employee of an organization that represents their stakeholder group.

The member and alternate are charged with broadly representing their stakeholder group's interests. In order to provide effective representation, they are expected to communicate between themselves and with other members of their respective stakeholder group.

The Managing Board will appoint voting members from a list of qualified applicants, after a 30 day public solicitation for applicants.

The terms of voting members and alternates shall be three years, except for the initial appointment where half of the committee will be appointed for two years to allow for terms to be staggered. Primary and alternate members will likewise be staggered in the initial term. There are no term limits.

5.2 Non-voting Membership

Non-voting members will include the following seats:

- a. U.S. Coast Guard (USCG)
- b. U.S. Army Corp of Engineers, Alaska District
- c. U.S. National Oceanic and Atmospheric Administration
- d. Department of Defense, Joint Base Elmendorf - Richardson
- e. Marine Exchange of Alaska

- f. Alaska Department of Environmental Conservation (ADEC)
- g. Alaska Department of Transportation and Public Facilities

Non-voting members will be appointed by the head of their respective agency or organization.

6. Meetings

Meetings for the Managing Board, Cook Inlet HSC, and various work groups are described below. Notice of all meetings, an agenda, and a meeting summary will be posted on the Cook Inlet HSC webpage.

6.1 Managing Board Meetings

The Managing Board will meet as necessary to conduct the business of the organization, but at least once per year. Meetings of the Managing Board are not open to the public, but a meeting summary will be posted as a public document.

6.2 Harbor Safety Committee Meetings

The Cook Inlet HSC will meet as necessary to carry out their mission, but at least quarterly. All meetings of the Cook Inlet HSC are open to the public and a limited public comment period will be provided on the agenda.

Meeting location will rotate between the Ports of Anchorage, MacKenzie, Nikiski, and Homer.

6.3 Work Group Meetings

Work groups will meet as necessary to carry out their mission. Meetings of work groups are not open to the public, but a meeting summary will be posted as a public document.

7. Governance

Governing rules for meetings shall be the Cook Inlet HSC Charter, and Robert's Rules of Order. Members should strive to obtain a consensus on decisions and actions of the Cook Inlet HSC. Any official action or publication requires adoption by a simple majority of a quorum of the HSC. In matters requiring a vote, one vote is allowed per membership category and will be casted by the primary member, unless that person is not present at a meeting, in which case the vote will be cast by the alternate. The chairman will not vote except in the event of a tie vote, in which case the chairman will cast the deciding vote. A quorum of the Cook Inlet HSC shall be considered to be two thirds of the non-vacant seats of the HSC.

The Chair will develop agendas, distribute them to other members of the HSC, and post them on the Cook Inlet HSC website no fewer than 7 days prior to scheduled meetings.

Voting and non-voting members may participate in meetings telephonically at the discretion of the chairman, but votes cannot be cast telephonically.

8. Amendments

Amendments to this Charter require a simple majority of a quorum of the Managing Board. A quorum of the Managing board will be 4 members.

Signature Page

Managing Board