

SPECIAL URGENT CALL FOR HELP!

July 5, 2004

Dear friends,

Your help is needed now to save the Mendenhall Refuge and Dike Trail! Send this message to your friends and hunters!

The airport manager wants to remove from the Refuge 18 acres of land: 11 along the river and 7 at the east end of the runway. He is doing this in a very quiet manner through a resolution that the assembly will vote on Monday, July 12 under Old Business (at the end of the meeting).

Please email the assembly right away to halt this stealthy action! If they receive many letters and comments they will recognize that the issue is controversial. The result may be a NO vote-that's what we want! We need to have this land grab evaluated and publicly discussed as part of the Environmental Impact Statement (EIS) that will be released in Draft form later this year. Without scientific and public scrutiny, this removal of Refuge land will go forward with very little oversight. We need to stop it now!

You can email all members simultaneously at this address:

borough_assembly@ci.juneau.ak.us

Background:

The airport wants to remove from the Mendenhall Refuge 11 acres of land along the Mendenhall River (the west end of the runway) and 7 acres at the east end of the runway (toward Sunny Point). The airport manager is requesting the city assembly approve a tidelands transfer to the airport so the airport can control the use of the land-not Fish and Game or the Department of Natural Resources.

The airport manager says filling these 18 acres is necessary to control wildlife hazards and for runway safety areas (RSA). However, in a memo to the airport board he hints that the FAA will not need this land for the RSAs because the agency will choose a crushable concrete product (Engineered Material Arresting System or EMAS). EMAS usage means there will be much less land needed than the full 1,000 foot RSA of filled land. The airport manager does not want to use EMAS because it is costly to maintain. He prefers to bury the wetlands with several feet of fill.

At this point no one knows what the Draft EIS will recommend or what the alternatives to filling 18 acres of land might be. The purpose of an EIS is to evaluate different proposals and choose the best one-with the least environmental damage. During that process the public is given the opportunity to learn and comment on the scientific studies used to make determinations. NONE OF THAT INFORMATION IS AVAILABLE AT THIS

TIME!

Because it is likely the airport cannot get all the land the manager wants through the normal EIS process, he is circumventing the public process by asking the assembly to approve Resolution 2271. The regulations he is using to remove the Refuge land will allow a speedy transfer with virtually no ability for Fish and Game -- **or anyone else** -- to object.

I have asked that the proposed lands be staked and flagged so people can see what areas would be taken. Without that or copies of the maps the best way I can describe it is to say that **ANY AND ALL LAND ON THE AIRPORT SIDE OF THE RIVER FROM THE SEWAGE TREATMENT PLANT TO BEYOND THE SMALL WOODEN SIGN NEAR THE 90-DEGREE TURN OF THE DIKE TRAIL WOULD BE FILLED AND CONTROLLED BY THE AIRPORT.** This includes all land that is visible at low tide, most of it is grass-covered now. These lands are submerged at high tide.

The main reason the manager is citing now to take the land is for wildlife hazard control: to keep birds away from the airport. Ironically, the riverbank land at the end of the runway is unused by birds because dogs play there. Any bird hazard that may exist occurs primarily in the water. This problem would not be corrected by filling the land.

For some reason, the manager is asking for a smaller portion of land at the east end of the runway (toward Sunny Point). That area has more bird problems and less disturbance to scare away birds. Why is so much more land requested from the riverbank?

Access is a key concern. If the airport gets ownership of all the Refuge land adjacent to the river it would be easier to block public access to the Refuge. The Dike Trail-which is on airport land for its entire length-is the easiest and most popular access route to the Refuge. Restricting public use is strongly desired by the airport. The trail is only open today because intense public outcry prevented closure after the 9/11 attacks. Hunters, hikers, dog walkers, older people on bicycles, and parents with young children in strollers could all be eliminated.

Serious upstream flooding could occur if the airport fills the land. Under current conditions, the river has plenty of room to flow down to the channel when heavy rain occurs. If the land is filled, the flood would be funneled and choked at the area where the landing lights are erected. That could have two effects: flood the river upstream and erode the bank near homes; and/or (2) create a new river channel at the end of the runway that might cause the present river course to become an oxbow lake which would attract more birds and increase the bird strike hazard.

The best way to understand the impacts is to analyze and discuss these possibilities during the EIS public comment period, not through the manager's stealth attack on the Refuge.

Below is a letter that I submitted for the first meeting of the assembly on June 28. At that meeting, the airport manager failed to supply maps or written justification to the

assembly. They voted to table the resolution until Monday, July 12 because they lacked proper information. I think they are wary of approving this resolution. If enough people tell them to do the job correctly, perhaps they will veto the tidelands transfer until the EIS determines if it is necessary or not. That's what we want them to do!

When you write, tell the assembly you want:

- thorough public notice of what is proposed and adequate time to review and comment
- request the 11 acres under consideration be staked and flagged so you can see how much land would be removed from the Refuge. (For example, why does a simple change by a homeowner require a large red sign to be posted at the property for 10 days while this major change has no notice at all!)
- maps, documentation and resource agency reports on the advantages and disadvantages of this action.
- the airport to wait until the EIS presents alternatives to filling 18 acres of Refuge land
- proof that flooding will not damage the riverbank and threaten upstream homeowners' property
- without adequate information and public review, the assembly should deny the request and veto the resolution!

My letter from last week:

Laurie Ferguson Craig
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907.789.2768

Monday, June 28, 2004

The Honorable Bruce Botelho, Mayor
City and Borough of Juneau Assembly
221 Seward Street
Juneau, AK 99801

RE: Opposition to Resolution 2271

Dear Mayor Botelho and Members of the Assembly,

I would like to request that you deny or defer approval of Resolution 2271, a request to transfer tidelands from the Mendenhall Wetlands State Game Refuge to the Airport.

The Airport is currently undergoing analysis of several projects in an Environmental Impact Statement (EIS) that is being prepared by the Federal Aviation Administration

(FAA). The release date for the DRAFT EIS is later this year. The appropriate time to make a decision on this resolution would be after information has been provided and examined through the EIS process.

There are many reasons for denying or deferring the resolution. The proposed resolution is not accompanied with any scientific analysis by state or federal agencies. Such data should be the basis for your consideration prior to acting on the resolution. It is not known at this time if any of the proposed land actually would be needed for either Runway Safety Areas or for wildlife hazard control. The amount of land requested should be evaluated. Some of the land is regarded as Essential Fish Habitat. No mitigation has been proposed to compensate for the loss of lands from the Mendenhall Refuge. All of these issues could be covered in the EIS process. However, because the DRAFT EIS has not been released yet none of the answers are known.

It is important that the city follow proper procedures for projects that are undergoing EIS review. Consideration of cumulative impacts and mitigation of those impacts are key elements of National Environmental Policy Act (NEPA) rules. The correct legal method for making decisions requires avoiding piecemealed decisions. Additionally, the city should not circumvent regulation of environmental impacts as outlined in US DOT Act of 1966, Section 4(f) regarding wetlands. (See explanation in June 4, 2004 Airport Boundary Issues memo to Airport Board from Airport Manager).

The proper time and place for making the decision about any tidelands transfer is in conjunction with FAA's EIS.

Best Regards,

Laurie Ferguson Craig