



HAINES BOROUGH, ALASKA
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MEMO

TO: The Haines Community
DATE: September 21, 2022
RE: Lutak Dock Rehabilitation Project

To be clear: No one is moving forward, nothing has been decided on an established path to restore the Lutak Dock until public meetings have taken place. There are conceptual ideas, but no accepted design.

An email, apparently authored by Lynn Canal Conservation asserting incorrect information regarding the Lutak Dock Rehabilitation Project was recently sent to or forwarded by residents. No one from LCC reached out to the Borough to get an understanding of the Turnagain Marine contract. This memo is to correct many of the untrue assertions in that email. Those untrue assertions are included in *italics*.

- 1) Like all Borough-owned facilities, the Lutak Dock belongs to all Haines Borough residents, not only to members of special interest groups. (*The email was entitled "Our Dock is not an ore dock".*)
- 2) The quest to rebuild the 69-year-old dock has not been "*a big rush*" as described in the email. The very public process has been ongoing since the 2014 structural assessment concluded that "the structure has reached the end of its credible 60-year service life." Previous unsuccessful grant applications for rehabilitating the dock included the same concept 1B as the alternate concept that Turnagain is now proposing. The community has thoroughly vetted this idea over several years, and has long been the Borough's preferred alternative. What changed was a successful grant application. Various Borough Assemblies approved grant applications for rehabilitating the dock:
 - a. 2016 and 2017 with the DOT/PF FASTLANE grant,
 - b. 2017 TIGER grant
 - c. 2018, 2019, 2020 BUILD grant
 - d. 2021 RAISE grant (\$20 million based on \$5 million match)
 - e. 2021 PIDP grant (unsuccessful)
- 3) Many of the email senders expressed concern that there be public meetings regarding the Lutak Dock Rehabilitation Project. We agree. Those meetings begin with the approval of the Turnagain Marine contract, which allows the company to present its ideas to the public through meetings of the Ports & Harbors Advisory Committee and the Planning Commission. (*The design...*)

“hasn’t been before the Ports & Harbors Committee or the Planning Commission, as required by Haines Borough Code”)

- 4) The Assembly is voting on whether or not to grant a contract to Turnagain Marine to design the Lutak Dock Rehabilitation. In response to the Borough’s Request for Proposals (RFP), Turnagain has presented a concept that, with approval of the contract, will go to the Ports and Harbors Advisory Committee and the Planning Commission to begin to vet publicly. *The email misstates the purpose of the Assembly’s action.*
- 5) Public meetings will begin once the contract is approved. Then, the concepts will be presented publicly in the appropriate committees (PHAC and the PC) for public comment. We are still waiting for MARAD to determine if the concept in the RFP is acceptable. Any concept will have to be proven by the engineering. *(The email said “We’ve been promised more public meetings for months without follow through by the Borough”)* The contract has to be approved to begin the public process.
- 6) Posted on the Borough’s main web page are the results of a public records request which shows that there have been no communications between Borough staff (Manager, Harbormaster, Clerk, Public Facilities Director, Grants Administrator) or the Mayor and any mining interests with regard to the Lutak Dock. We are glad to be able to show the public that this accusation continues to be false. *(Email falsely stated: “project’s primary purpose would be an ore dock for Yukon mines”)*
- 7) Staff are only focused on getting the Lutak Dock restored to its status as a regional, deep-water port. The use of the dock is an entirely different question.
- 8) Funding for the dock is coming from federal funds (\$20 million), Enterprise funds (Lutak Dock user fees), and State funds. Other than federal taxpayers, there are no local taxes being used to pay for the dock rehabilitation.
- 9) Accusations that there have been violations of the Open Meetings Act are false. A PHAC meeting could have been advertised with more specificity, but Code requires the subject and the subject “Lutak Dock” was advertised. The Lutak Working Group was abandoned as a redundant group to the PHAC and Planning Commission. The Working Group met once as a Group to give technical feedback to the Harbormaster. It has not met since and should be officially disbanded. The field trip to the dock on August 30, was noticed sufficiently and I spoke publicly about the expectation that we would discuss ideas at the field trip. It was also noticed in my Manager’s Report.
- 10) The engineering of the design must receive MARAD approval. The entire reason for applying for federal funding is because the Borough cannot afford to fund this project on its own. The design/build concept will provide a guaranteed maximum price. We won’t be surprised by change orders later in the project. This is why we are waiting for MARAD’s approval of the concept of the sheet pile wall. *(“The Haines Borough could be on the hook for expenditures that aren’t first approved by the granting agency.”)*