

**PLANNING COMMISSION**

**NOTICE OF DECISION**

Date: June 15, 2011

File No.: USE2011 0006

CBJ Docks and Harbors  
Attention: Gary Gillette, Port Engineer  
155 S Seward St  
Juneau, Ak 99801

Application For: Modification to USE2007-00009 and USE2008-00036 to allow commercial vessel fueling from fuel trucks (fuel bunkering) at Auke Bay Loading Facility

Legal Description: ATS 357 LT 1

Property Address: 13575 Glacier Hwy

Parcel Code No.: 4-B31-0-100-002-1

Hearing Date: June 14, 2011

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 8, 2011, and approved the Conditional Use Permit for commercial fueling from fuel trucks (fuel bunkering) to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to allowing fuel deliveries to the site, the applicant shall post a sign on the float that addresses the following issues:
  - a. Fuel truck operators must have a USCG approved Marine Transfer Related plan for fuel bunkering.
  - b. Before fueling the truck operator must complete a Declaration of Inspection signed by the vessel operator and the fuel delivery truck.
  - c. The truck driver and vessel engineer must maintain visual contact throughout the fueling process.
2. The location of the oil spill response materials must be clearly identified with appropriate signage.
3. Emergency response telephone numbers must be clearly displayed with appropriate signage.
4. Adequate quantities of spill response materials must be maintained on site. Fuel deliveries shall be halted after a spill event until the supply of spill materials has been replenished.

Attachments: June 8, 2011, memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2011 0006

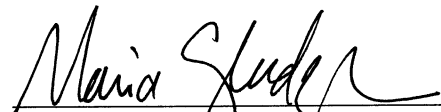
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Commission, June 14, 2011  
Expiration Date: The permit will expire 18 months after the effective date, or December 14, 2012, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

  
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Teri Camery, Planner  
Community Development Department

  
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~~Mike Satre, Chair~~ MARIA GLADZISZEWSKI, CHAIR  
Planning Commission

  
\_\_\_\_\_  
Filed With City Clerk

6/17/11  
\_\_\_\_\_  
Date

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.