

PLANNING COMMISSION

NOTICE OF DECISION

Date: August 10, 2011

File No.: USE2011 0017

City and Borough of Juneau
Alan Steffert
155 S. Seward Street
Juneau, AK 99801

Application For: Renew the 10-year Stablers Point Rock Quarry extraction permit.
Legal Description: Fraction of Lot 1 USS 3810
Property Address: 13010 Veterans Memorial Hwy
Parcel Code No.: 4-B30-0-102-002-0
Hearing Date: August 9th, 2011

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated August 3rd, 2011, and approved the renewal of the 10-year quarry permit to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. All vehicle loads shall be contained. Vehicles hauling from the site shall be operated with tailgates, covers or other similarly effective methods.
2. Public notification warning signs shall be erected a minimum of 24 hrs prior to blasting. Written notification shall be given to Juneau Flight Services, Juneau Police Department and Capital City Fire / Rescue a minimum of 24 hrs prior to blasting.
3. The hours, days and dates of operation shall be 8am – 4:30pm, Monday through Friday, all year except State holidays.
4. Blasting operation shall be scheduled to occur between 10am-12pm and 1pm-3pm, Monday through Friday.
5. This quarry permit shall expire 10-years after the date of approval.
6. Each quarry operator shall submit an individual mining plan that is in conformance with this Conditional Use permit and is approved by the quarry manager prior performing any work in the quarry. Each mining plan shall be prepared by a civil engineer or other authorized professional.
7. The operator is required to comply with the requirements of CBJ Standard Specifications 02090 Blasting Controls. A quarry operator shall submit a blast plan, reviewed by an independent blast consultant, to the CBJ Engineering Department/Quarry Manager for approval prior to each blast.

8. Quarry operators shall comply with the existing DOT/ PF approved Stablers Traffic Control Plan(s) for blasting operations, quarry access, and work within the DOT/ PF ROW.
9. Explosives shall not be stored on site, except for that which is immediately necessary for the next blast.
10. The applicant shall comply with DEC regulations governing stormwater discharges from the quarry site, with particular attention paid to protecting Auke Nu Creek
11. The applicant shall (or shall cause to) reclaim the quarry site with finished faces and established benches, and remove loose rock during the period between projects, even if the entire quantity of rock has not been removed.
12. The applicant shall (or cause to) control dust caused by excavation, truck hauling, rock crushing, or other aspects of the operation.
13. The applicant shall (or cause to) repair any damage to Glacier Highway as a result of the quarry operation. If there is visible damage to the roadway due to hauling or mining operations, the roadway shall be repaired in cooperation with DOT/ PF.
14. The applicant shall require the posting of a bond (or equivalent if project based) from all quarry operators to ensure spilled or tracked material are removed from public roads. The applicant shall (or cause to) remove all spilled materials immediately from public roadway and, that mud and debris tracked onto roads be cleaned daily within 200 yards west & east of the quarry entrance while loading and operations are on-going. DOT/ PF reserves the right to request sweeping at any time it sees a problem or complaint. (Edits by Planning Commission)
15. The applicant shall ensure that lighting (if any) does not glare onto adjacent roadways.
16. The applicant shall (or cause to) operate the quarry according to the application proposal, including attachments and drawings, except that all conditions contained herein shall take precedence.
17. The applicant shall ensure that the rock extraction is consistent with the recommendations of the US Fish & Wildlife Service for the protection of nesting eagles according to the past approved variances (VAR96-52, VAR2000-37, VAR2001-17, & VAR2008-6).
18. The applicant shall maintain a lockable security gate at the quarry entrance.
19. The applicant shall (or cause to) retain a natural buffer at the western end of the quarry similar to that at the eastern end for a visual and noise barrier. This buffer may be pierced to create the new western entrance roadway (Attachment C). Additionally, and when feasible, the buffer shall be retained during all quarry operations throughout the site for noise and visual buffering.

20. Prior to extracting the southwestern cliff face of the quarry, a qualified expert in geophysical hazard shall evaluate the site and recommend guidelines for its development. Further, these guidelines shall be made part of any approved mining plans for these areas and written notification given to all operators.
21. The recommended noise levels (excluding blasting) as measured at the nearest property lines shall not exceed 65 dBA.
22. Rock crushers shall be operated on the lower quarry levels. Stockpiles shall be located to provide additional noise screening barriers whenever possible.
23. The applicant shall have all operators of the quarry conduct their activities in accordance with all requirements of the noise management plan, blasting and noise controls, and temporary environmental controls.
24. The site clearing shall be consistent with needs to retain sound and visual barriers for the quarry operation. Prior to removal of substantial vegetation, the clearing limits shall be flagged and reviewed for approval by the Community Development Department.
25. Individual blasts shall be limited to a maximum of 6,000 cubic yards.

Advisory Condition

26. The pull out area adjacent to the quarry entrance drive near Glacier Highway is to be used for equipment transfer only. There shall not be temporary or long term parking on the pull out area. Transfer operations shall occur outside of the roadway clear zone. Access into the pull out area shall be limited to right in and right out turns.
27. A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public way. This periphery strip shall not be altered except as authorized for access points. This section does not alter the applicant's duty to maintain subjacent support.
28. If the bank of any extraction area within the permit area is above the high water line or water table, it shall be left upon termination of associated extraction operations with a slope no greater than the angle of repose for unconsolidated material of the kind composing it, or such other angle as the Commission may prescribe. If extraction operations cause ponding or retained water in the excavated area, the slope of the submerged working face shall not exceed a slope of 3:1 from the edge of the usual water line to a water depth of seven feet. This slope ratio may not be exceeded during extraction operations unless casual or easy access to the site is prevented by a fence, natural barriers, or both.
29. The applicant should contact DOT concerning the provision of a signal at the entrance to the quarry or other safety options. (Added by Planning Commission)

Attachments: August 3rd, 2011, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE2011-0017.

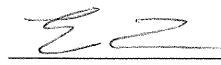
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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, August 9th, 2011.

Expiration Date: The permit will expire 10 years after the effective date, or August 9th, 2021. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:



Eric Feldt, Planner
Community Development Department



Maria Gladziszewski, Chair
Planning Commission


Filed With City Clerk

8/10/2011
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.