

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2016-21

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING A LONG TERM PERMIT FOR DELTA WESTERN INC. TO INSTALL MONITORING WELLS ON CITY PROPERTY

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way, or other property dedicated to a public use; and

WHEREAS, Delta Western Inc. wishes to install monitoring wells to meet Alaska Dept. of Environmental Conservation's request as the result of an incident involving a tank truck that occurred in 2012; and

WHEREAS, the only potential for well locations are east of the Delta Western Tank Farm, on City property; and

WHEREAS, the proposed encroachment was reviewed by the City's Public Works Director with no opposition or further requirements; and

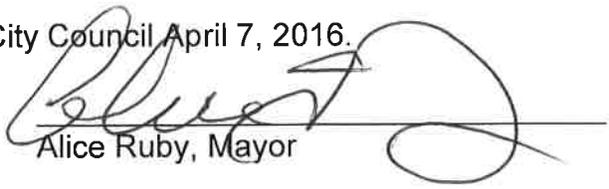
WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way, or other property dedicated to a public use for longer than one year; and

WHEREAS, the application for the encroachment permit was filed with the City on March 15, 2016, and was approved by the Planning Commission at their March 23, 2016 meeting;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment to install monitoring wells on City of Dillingham property with the following conditions:

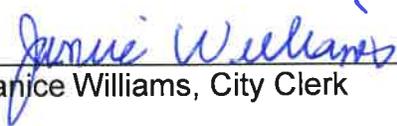
1. That at least 48 hours' notice be given to the City of Dillingham administration prior to beginning construction;
2. That at some future date, the wells may be removed if necessary for City purposes;
3. That Delta Western work with City staff to ensure that the wells are located and accessed in convenience with both parties.

PASSED and ADOPTED by the Dillingham City Council April 7, 2016.


Alice Ruby, Mayor

ATTEST:

[SEAL]



Janice Williams, City Clerk



City of Dillingham Information Memorandum

Agenda of: April 7, 2014

Attachment to:

Ordinance No. _____ / Resolution No. 2016-21

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTNIG A GRANT UNDER THE TERMS OF THE BBEDC COMMUNITY BLOCK GRANT PROGRAM

City Manager: Recommend Approval

Signature: Rose Roera

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- PC Resolution No. 2016-01

Summary Statement:

Delta Western wishes to install monitoring wells to meet AkDEC's request to monitor an area that was affected by a tank truck incident in 2012. The only potential for well locations are on city owned property.

This long term encroachment application was reviewed by Public Works and recommended for approval by the Planning Commission, March 23, 2016.

Attachment to:
Ordinance No. _____ / Resolution No. 2016-21 _____

Summary Statement continued:

Route to	Department Head	Date
	Finance Director	
X	Public Works Director	4/8/16
X	City Clerk	4/8/16

RESOLUTION 2016-01
A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION

Supporting a long term encroachment permit for Delta Western Inc. to install monitoring wells on City property.

WHEREAS, Delta Western Inc. (DWI) was contacted by the Alaska Department of Environmental Conservation (ADEC) requesting DWI conduct further assessment to delineate the extent of impacted soil encountered during a 2012 tank truck loading rack expansion; and

WHEREAS, the only potential for well locations are East of the Delta Western Tank Farm, on City of Dillingham property; and

WHEREAS, the Port Director and Public Works Director are in communications with Delta Western regarding well locations; and

WHEREAS, the wells be sampled twice a year for approximately 1-6 years; and

WHEREAS, DWI will be responsible for maintain the wells and well vaults;

WHEREAS, per Dillingham Municipal Code 12.08.030, the city may issue a long term encroachment permit and may make limitations and conditions on that permit; and

WHEREAS, per DMC 12.08.030, the city may remove permitted encroachments if deemed necessary; and

WHEREAS, the Dillingham Planning Commission is required to make a recommendation to the city council for long term encroachments and for excavation and construction in city rights-of-way and city property per DMC 12.08.020 (C) and DMC 12.08.070;

THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Dillingham, Alaska, recommends the City Council approve a long term encroachment permit for Delta Western Incorporated to install monitoring wells on City of Dillingham property, with the following conditions:

- That at least 48 hours' notice be given to the City of Dillingham administration prior to beginning construction.
- That at some future date, the wells may be removed if necessary for City purposes.
- That Delta Western, Inc. work with City staff to ensure that the wells are located and accessed in convenience with both parties.

APPROVED AND ADOPTED THIS 23rd DAY OF March, 2016.

Julianne E. Baltar, Presiding Officer

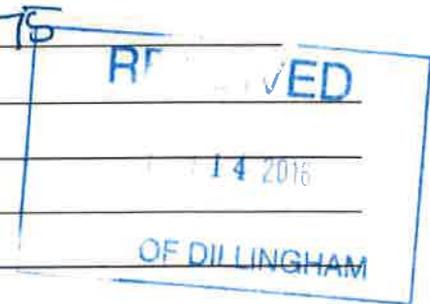
Courtenay Carty, Recorder



Encroachment Permit Application
 City of Dillingham
 PO Box 889, Dillingham, Alaska 99576

PERMIT NO. 2016-06

Date complete application received: 03 / 15 / 16 Fee Paid \$: 75
 Applicant Name: Delta Western, Inc. (DWI)
 Phone Number: (206) 357-1722 Dillingham number: (907) 842-5441
 Owner's Name: Ms. Bev Niemann, Environmental Manager
 Mailing Address: P.O. Box 79018
 City, State, Zip Code: Seattle, Washington 98119
 Phone Number: (206) 357-1722 Fax: (206) 213-0103
 Email: bevn@deltawestern.com
 Physical Location Description: _____
Please provide an 8.5x11 or larger map of the proposed encroachment. Map is attached.



Basis for encroachment permit request: The ADEC has requested DWI conduct further assessment to delineate the extent of impacted soil encountered during a 2012 tank truck loading rack expansion. The only potential for boring/well locations are east of the tank farm on City of Dillingham property.

Other special conditions: The monitoring wells will be flush mounted to the ground surface and need to be in a location convenient to all parties and in a safe area where the wells can be accessed when needed. The wells will be sampled twice a year for approximately 1-6 years. DWI will be responsible for maintaining the wells and well vaults. A Geologist and DWI representative will be onsite in March 2016 and can review the potential locations with the City representative and likely conduct the drilling in late April.

Short Term Permit Long Term Permit Period requested: from 04 / 15 / 16 to 04 / 15 / 21

You must include the \$75.00 non-refundable fee with your application to be processed and submit an as-built once the project is completed.

Information included in this permit application is, to the best of my knowledge, true and complete. I acknowledge and will comply with the requirements set forth by this encroachment permit. I acknowledge that this permit does not grant approval to any other federal, state, or city permits that may be required.

Applicant's signature: BW Niemann Date: MARCH 7, 2016

Landowner's signature: _____ Date: _____

To Be Completed By City:

City Manager	Date
Planning Director	Date
Public Works Director	Date
Action Taken by City: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Incomplete, return to applicant	

