



**PORT OF OAKLAND**

**March 8, 2021**

## **NOTICE OF DECISION**

### **Approval of Development Permit for 451 Hegenberger Road, Oakland, CA**

**PLEASE TAKE NOTICE:** The Port of Oakland (Port) Port Permit Coordinator has reviewed and evaluated all of the evidence in the record and, based on substantial evidence in the record, the Port Permit Coordinator has exercised his independent judgment to **approve the development permit for Private Property** located at 451 Hegenberger Road, Oakland, CA on March 8, 2021. This Notice of Decision, providing public notice of the Permit Coordinator's decision, has been posted on the Port's web site: <http://www.portofoakland.com/business/bids-rfps/bid-engineering/permits/>.

#### **Project Description**

The Port is the local land use authority for the Port Area, including the Oakland Airport Business Park and the project site. The project site is located along Hegenberger Road at the existing Bank of America building.

The applicant proposes to install replace the existing underground tanks, fueling equipment and related fuel supply lines. The three existing tanks contain 30,000 gallons total of regular, premium, and diesel fuel. Three new tanks will increase the total to 34,000 gallons with the additional capacity for a fourth fuel type- flex fuel (E85). The dispensers and paving will be replaced in kind so vehicle capacity will remain the same.

#### **Environmental Review**

The Port is the Lead Agency under CEQA, having land use jurisdiction over the Oakland Airport Business Park. The project boundaries are located in a developed area, and improvements will be made to an existing facility. The Port finds that this project is categorically exempt pursuant to CEQA Guidelines Section 15301, Existing Facilities, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

#### **Appeal of Executive Director's Decision**

Any person excepting to the Port Permit Coordinator's decision may appeal to the Permit Hearing Officer by filing with the Secretary of the Board a written notice of such appeal setting forth the specific grounds thereof, and by paying to Daria Edgerly, Secretary of the Board (530 Water Street, Oakland, CA 94607 or [dedgerly@portoakland.com](mailto:dedgerly@portoakland.com)), the \$750 administrative

appeal fee. A Notice of Appeal must be filed within fourteen (14) days of this Notice of Decision. Absent an administrative appeal, the Port Permit Coordinator's decision becomes final fifteen (15) days after issuance of this Notice of Decision. Any failure to file an administrative appeal will be a complete bar to judicial review.

**Port Contact Information**

Please contact Joe Marsh, Port Permit Coordinator, at (510) 627-1480 or [jmarsh@portoakland.com](mailto:jmarsh@portoakland.com) with any questions regarding the approval of this development permit.