

Mr. Steve Fischer, Bridge Program Administrator
13th Coast Guard District
Waterways Management (dpw)
915 2nd Avenue, Room 3510
Seattle, WA 98174

**RE: Coast Guard Bridge Permit Application
Proposed BNSF Railway Company Sand Creek Bridge 3.1
Sandpoint Junction Connector Project, Bonner County, ID**

Dear Mr. Fischer:

Application is hereby made for a Coast Guard bridge permit.

A. ADMINISTRATIVE AND NAVIGATION INFORMATION

1. Application Date: 12/21/2017

a. Applicant information:

- 1) Name:** BNSF Railway Company (BNSF)
Attn: Matthew Keim, Manager Engineering
- 2) Address:** Northtown GOB
80 - 44th Avenue NE
Minneapolis, MN 55421
- 3) Telephone number:** 763-782-3489
- 4) Email address:** Matthew.Keim@BNSF.com

b. Consultant/Agent information (if employed):

- 1) Name (company or individual):** Pierre Bordenave, Director - Environmental
Jacobs Engineering Group, Inc.
- 2) Address:** 101 N. Fourth Avenue, Suite 203
Sandpoint, ID 83864
- 3) Telephone number:** 208-263-9391
- 4) Email address:** Pierre.Bordenave@jacobs.com
- 5) Letter authorizing a consultant/agent to obtain permits on behalf of the applicant included:** Yes No See Attachment A

c. Name of Proposed Bridge(s): BNSF Bridge 3.1

1) Name of the waterway that the bridge(s) would cross:

Sand Creek tributary to Lake Pend Oreille

2) Number of miles above the mouth of the waterway where the bridge(s) would be located and provide latitude and longitude coordinates (degree/minute/second) at centerline of navigation channel (contact the local Coast Guard Bridge Office for guidance):

The new bridge will be located approximately 0.25-mile upstream from the creek's outlet to Lake Pend Oreille. The latitude and longitude for the centerline of the navigable channel at the bridge is 48°16'19.35"N, 116°32'38.17"W

City or town, county/parish, and state where the bridge(s) would be located at, near, or between:

City of Sandpoint, Bonner County, Idaho

3) Brief description of project to include type of bridge(s) proposed [fixed or movable (drawbridge, bascule, vertical lift, swing span, pontoon), highway, railway, pedestrian, pipeline] and existing bridge(s) at project site, if applicable:

There is an existing interstate, mainline railroad bridge at the project site. The existing fixed bridge is 155 feet long and 14 feet wide with four concrete piers, two of which are abutments. It was originally constructed in 1902, but was modified in 1990 with replacement of the superstructure, concrete pier caps, deck and walk. The existing bridge will remain unchanged.

The new bridge will be approximately 35 feet west of, and parallel to, the existing bridge, and will be 505 feet long (approximately 150 feet over navigable areas of Sand Creek) and 21 feet wide. The new bridge will be a fixed, 12-span bridge with pre-cast concrete caps over 11 piers comprised of 24-inch-diameter open steel piles.

The superstructure will include an 80-foot-long steel deck plate girder (DPG) over the main channel, along with seven spans of 42-inch deep by 45-foot-long concrete box girders and four shorter approach spans of 30-inch-deep concrete box girders.

The 12-spans will consist of:

- One 80-foot span over the creek channel. This new bridge center navigational span's (Span 10) horizontal clearance will be 72 feet; as compared to the existing bridge center span (Span 2) which has an approximate 42-foot horizontal clearance. Vertical clearance of the new bridge will be 17 feet above the 2062.5-foot ordinary high water mark (OWHM), which is approximately higher than vertical clearance of the existing bridge.
- Seven 45-foot spans (Spans 3,4,5,6,7,8,9); one (Span 9) will be over a portion of the creek during high water, and the rest being fully upland of the OWHM;

- Three 25-foot spans (Spans 1,2,11); one of which (Span 11) will be over a portion of the creek during high water, and the other two (Spans 1,2) being fully upland of the OHWM;
- One 30-foot transition span (Span 12), which will not be over water.

The 11 piers will consist of:

- Two piers (9 and 10), each consisting of eight 24-inch diameter steel pilings, all of which will be within the navigable channel.
- Seven piers (2 - 8), each consisting of six 24-inch-diameter steel pilings. Of the seven, six piers (2 - 7) will be fully upland; and one pier (8) will have all, or a portion, of its piles just within the regulated OHWM.
- Two piers (1 and 11) consisting of three 24-inch-diameter steel pilings will be upland of the regulated OHWM.

The total number of pilings is projected to be 64; twenty-two (22) of which will be below the OHWM.

Proposed work activities also include re-establishing an access at the north end of the bridge, and both a staging area and access road at the south end of the bridge.

Construction of a temporary timber-deck construction bridge adjacent to and west of the new bridge is also part of the proposed work.

4) Drawbridge Regulations (if applicable): Not applicable

5) Date of plans and number of plan sheets: November, 2017; 18 sheets

6) Estimated cost of bridge(s) and approaches:

a) Provide the estimated cost of the bridge(s) as proposed, with vertical and horizontal navigational clearances:

- Estimated cost: over \$8 million
- Vertical clearance: 17 feet
- Horizontal clearance: 72 feet

b) Provide the estimated cost of a low-level bridge(s) on the same alignment with only sufficient clearance to pass high water while meeting the intended purpose and need:

There is no feasible low-level alternative. The new bridge must be at or near the same elevation as the existing tracks to be able to meet switching points at either end of the project.

7) Type and source of project funding (federal, state, private, etc.):

Private funding by BNSF

8) Proposed project timeline:

The Bridge 3.1 project will take approximately one year and will occur during the 2018-2021 construction timeframe for the entire BNSF Sandpoint Junction Connector project. However, construction of the spans within the navigational area of Sand Creek will be limited to the period when navigational access is highly restricted upstream on Sand Creek, from approximately mid-October to mid-April during the regulated low water or winter pool period.

9) Other Federal actions (e.g., permits, approvals, funding, etc.) associated with the proposal:

- U.S. Army Corps of Engineers (USACE): Section 404 permit; Section 10 permit
- U.S. Environmental Protection Agency (EPA): Section 402 NPDES Construction Stormwater General Permit
- Idaho Dept. of Environmental Quality (IDEQ): Section 401 Water Quality Certification
- US Fish & Wildlife Service (USFWS): Endangered Species Action (ESA) Section 7 consultation
- National Historic Preservation Act (NHPA) Section 106 consultation

d. Legal authority for proposed action:

1) **Cite appropriate Bridge Act:** General Bridge Act of 1946

2) **If not the owner of the existing bridge(s) that is being replaced or modified, include a signed statement from the bridge owner authorizing the removal or modification work and cite its location:**

Not applicable; BNSF owns Bridge 3.1

3) **For privately owned bridges, cite authorization for right to build (e.g. deed or easement from the property owner authorizing the proposed construction or modification work):**

Not applicable; BNSF owns the right-of-way (ROW)

e. International bridges (if applicable):

Not applicable

1) **Cite the International Bridge Act of 1972, or a copy of the Special Act of Congress if constructed prior to 1972, as the legislative authority for international bridge construction:**

2) **For permits issued under the International Bridge Act of 1972, cite Presidential approval, via the State Department, included with the application as required:**

NOTE: Please include a copy of State Department approval for international bridges in the application package for a Coast Guard bridge permit.

f. Dimensions of the proposed bridge(s):

- 1) **Vertical clearance as indicated on plan sheets:** 17 feet (from summer pool)
- 2) **Horizontal clearance as indicated on plan sheets:** 72 feet
- 3) **Length of bridge(s) project:** 505 feet (approximately 150 feet of which within Navigable waters of Sand Creek.

If no prior permit exists, and this is a modification or replacement project, is the length the same as the old bridge:

Not applicable; not a modification or replacement

If not, what is the difference?

- 4) **Width of bridge(s) project:** 21 feet (out-to-out)

If no prior permit exists, and this is a modification or replacement project, is the width the same as the old bridge:

Not applicable; not a modification or replacement

If not, what is the difference:

- 5) **Depth of the waterway at project site at MHW if tidal or OHW if non-tidal, using the appropriate elevation and datum (e.g., NGVD 1929, NAVD 1988, etc.):**

Summer: 15.2 feet under the existing and proposed bridges, and 17.5 feet at deepest part of channel east of the bridges (NAVD 1988)

Winter: 5 feet under the center of the bridge.

- 6) **Width of waterway at project site at MHW if tidal or OHWM if non-tidal:**

Approximately 120 feet in the summer; Approximately 40 feet in the winter.

- 7) **Significant effect on flood heights and associated drift, if any, that could cause a navigation hazard:**

No significant effect on flood heights and associated drift.

g. Temporary Bridge(s) dimensions (vertical clearance, horizontal clearance, length and width), if applicable:

- 1) **Vertical clearance:**

9.5 feet; however, the center span and adjacent piers will be temporarily removed to allow summer navigation if construction of the proposed bridge is not completed by May.

2) Horizontal clearance:

46 feet

3) Length:

510 feet (Approximately 150 feet in navigable channel)

4) Width:

32 feet

The temporary construction bridge to construct the new Bridge 3.1 consists of 11 spans and 11 piers.

- Spans 1 - 7 will be over shallow non-navigable nearshore areas north of the existing bridge.
- Span 11 will have a small corner portion over the shallow non navigable nearshore area adjacent to the wetland fill.
- Spans 8 - 10 will be over the Sand Creek navigable channel and will have a vertical clearance of 9 feet during high water (approx. June 15 through September 15) and a horizontal clearance of 42 feet. However, those spans will be limited to the period when minimal navigational access up Sand Creek is available (October 15 to April 15, depending on Albeni Falls Dam fall draw-down and spring draw-up).

There will be 10 piers (Spans 2 - 11) fully or partially below the 2062.5-foot OHWL.

These will consist of:

- Two piers with eight 24-inch-diameter steel pilings (Spans 4,8)
- Eight piers with four 24-inch-diameter steel pilings (Spans 2,3,5,6,7,9,10,11)
- The navigation horizontal clearance between piers 8,9,10, and 11 (Spans 8 - 10) will be 42 feet. However, both the spans and the piers within the navigation area of Sand Creek would be removed between April 15 and October 15.

The total number of temporary pilings below the OHWL will be between 30 and 40 to accommodate minor adjustments in variable span support needs and site conditions.

- h. [Include the following language, if applicable] Enclosed are the waterway data requirements as determined by the Coast Guard District Bridge Office. If a navigation impact report was conducted please cite location(s) in the case file, list title and date of document as appropriate:**

Not applicable; no waterway data requirements determined by the USCG are enclosed

i. Existing bridge(s) if applicable:

1) Name of bridge(s): BNSF Bridge 3.1

2) Type of bridge(s) and number of lanes (e.g., fixed or moveable (drawbridge, bascule, vertical lift, swing span, pontoon, etc.); highway, railway, pedestrian, pipeline):

Fixed single-track railway bridge

3) For movable spans identify the existing drawbridge operating regulation governing the structure (e.g. 33 CFR 117.XXX, if applicable):

Not applicable; there are no movable spans.

When applicable, identify if the local Coast Guard Bridge Office identified that modification of an existing drawbridge requires revision or removal of the existing regulation (e.g. if the bridge project involves replacing the existing drawbridge with a fixed bridge):

NOTE: If the waterway is not already identified in 117 Subpart B, please note if an operating schedule other than open on demand is being considered.

4) Latitude and longitude coordinates (degree/minute/second) at centerline of the bridge(s):

48°16'20.86"N, 116°32'39.50"W

5) Dimensions of the existing bridge(s):

a) Vertical clearance(s) as indicated on previous plan sheets (include both the open and closed-to-navigation clearances for movable spans). [The proposed and existing vertical clearances must be compared using the same datums. This may require surveying the existing bridge]:

16.2 feet

b) Horizontal clearance as indicated on previous plan sheets: 42 feet

c) Length of existing bridge(s): 155 feet

d) Width of existing bridge(s): 19 feet

6) Owner of the existing bridge(s): BNSF

j. Discuss construction methodology, if known, and removal of existing bridge(s), as applicable:

Not applicable; the existing bridge will not be removed.

1) Discuss proposed construction methodology and restrictions:

2) Discuss maintenance of land traffic during construction activities:

3) Discuss extent of removal of existing bridge(s) (e.g. in its entirety, two feet below the mud line, down to or below the natural bottom of the waterway or to a specific elevation), time needed for removal, etc.: Not applicable

4) Discuss demolition methodology:

NOTE: In the interest of navigational safety, the Coast Guard must make the final decision concerning the extent of bridge(s) removal.

k. Other agencies with jurisdiction over the proposed project:

- 1) **Agency:** USACE, USFWS, USEPA, IDEQ, IDL
- 2) **Permits or type of approvals required for the project:**
 - Section 10 Bridge Permit
 - Clean Water Act - Sections 401, 404, and 402
 - Non-Navigational Encroachment Permit
 - ESA Section 7 consultation
 - NHPA Section 106 consultation

B. ENVIRONMENTAL INFORMATION:

1. National Environmental Policy Act

Lead Federal Agency: USCG

List Cooperating Agencies for project: USACE

a. Type of environmental document.

Environmental Impact Statement/Record of Decision (EIS/ROD)

Cite location(s) in the application package:

***Environmental Assessment/Finding of No Significant Impact (EA/FONSI)**

Cite location(s) in the application package:

* Preliminary EA under separate submittal

Categorical Exclusion (CE)

Cite location(s) in the application package:

b. Has the environmental document been modified, reevaluated, supplemented or rescinded for the proposed action?

Yes No

If yes, cite location(s) in the application package:

2. Environmental Effects Abroad

a. Does the proposed project involve a bridge connection to Canada or Mexico?

Yes No

3. Clean Water Act

- a. **Has a Water Quality Certification (WQC), waiver or statement that the WQC is not required been obtained from the appropriate federal, interstate, or state agency?**

Yes No

If yes, cite location(s) in the application package:

The WQC will be provided when available/issued by IDEQ

NOTE: The USCG will not accept an application package as complete if a WQC, waiver, or statement from the appropriate regulatory body has not been obtained.

- b. **Name of the Federal, State or Tribal certifying agency and point of contact with phone and email address, if available:**

Idaho Department of Environmental Quality; June Bergquist, Regional Water Quality Compliance Officer; 208-666-4605; june.bergquist@deq.idaho.gov

- c. **If the WQC is granted under a Programmatic Agreement (e.g., U.S. Army Corps of Engineers (USACE) Nationwide Permit (NWP) include the date of the NWP, the type of NWP (14, 15, etc.) and the NWP number and title:**

Not applicable

- d. **For permit amendment actions, include a new WQC or a written confirmation from the certifying agency that the existing WQC has been reissued/renewed or is still valid for the proposed action.**

Not applicable, not a permit amendment.

New WQC Attached

Written Confirmation of WQC validity attached

4. Wetlands

- a. **Is the proposed project located in or adjacent to a wetland?**

Yes No

- b. **If yes, what is the acreage of wetlands that will be permanently and temporarily impacted by the proposed project?**

Nearshore fill for Bridge 3.1 will result in 0.01 acres of permanent impact and 0.05 acres of temporary impact.

Include USACE permit (nationwide authorization or individual), if required, and cite where wetland mitigation measures are described in the application package:

A USACE permit for the entire Sandpoint Junction Connector project is being reviewed concurrently with this application and will be provided when available. Wetland mitigation measures are described in the Biological Assessment included with this application package.

5. Coastal Zone Management Act - The Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. § 1451), as amended, and its implementing regulations (15 CFR Part 930), requires all projects located within the designated coastal zone of a state to be consistent with the State's federally approved CZM plan (CZMP).

a. Is the project located in a state that has an approved Coastal Zone Management Act Plan (CZMP)?

Yes No

b. If yes, is the project within an area included in the federally approved CZMP?

Yes No

c. If yes, has the State specifically excluded this activity from its federally approved CZMP?

Yes No

Include State CZM concurrence/with consistency certification and cite location(s) in the application package:

6. Floodplains

a. Is the proposed project located in the base floodplain? An encroachment into the base floodplain does not exist when only the piers, pilings, or pile bents are located in the floodplain.

Yes No

b. Is there a significant encroachment (constituting a considerable probability of loss of human life; likely future damage associated with the encroachment that could be substantial in cost or extent; or a notable adverse impact on natural and beneficial floodplain values) into the floodplain?

Yes No

c. If yes, provide documentation and cite location(s) in the application package:

7. Wild and Scenic Rivers

a. Is the river involved in the proposed bridge project a designated Wild and Scenic River?

Yes No

b. If yes, attach correspondence with the river-administering agency and cite location(s) in the application package:

8. Coastal Barrier Resources Act

a. Does the proposed project connect to a unit of the Coastal Barrier Resources System?

Yes No

b. If yes, and the project is federally funded, cite location of Section 6 exception in the application package and any correspondence with the FWS:

9. Land and Water Conservation Fund Act

a. Does the proposed project involve a conversion of land or facilities funded under Section 6(f) of the Land and Water Conservation Fund Act?

Yes No

b. If yes, include correspondence with the NPS and authorization from the Secretary of the Interior for that conversion and cite location(s) in the application package:

10. National Marine Sanctuaries Act

a. Is the proposed project in or adjacent to a National Marine Sanctuary?

Yes No

b. Is the proposed bridge(s) likely to destroy, cause loss of, or injure a resource of a National Marine Sanctuary? (If no, provide evidence)

Yes No There are no marine waters associated with the project.

c. If yes, include evidence of consultation with Office of National Marine Sanctuaries and the agency's findings/conditions and cite location(s) in the application package:

11. Marine Protected Areas

a. Is the proposed project in or adjacent to a Marine Protected Area (MPA) as defined in section 4(d) of Executive Order 13158?

Yes No

b. If yes, will the proposed project affect the natural or cultural resources that are protected by the MPA? (If no, provide evidence)

Yes No

c. If yes, include evidence of correspondence with MPA Center, if applicable, and cite location(s) in the application package:

12. Endangered Species Act

- a. **Are there federally designated threatened or endangered species and/or critical habitat in the area that the proposed project is located? (If no, provide evidence)**

Yes No There are no listed species or designated critical habitat in Sand Creek; however, bull trout and bull trout critical habitat are in Lake Pend Oreille downstream of Sand Creek.

- b. **May the proposed project affect federally designated threatened or endangered species and/or critical habitat? (If no, provide evidence)**

Yes No Bull trout may be affected, but are not likely to be adversely affected downstream in Lake Pend Oreille; there will be no effect to bull trout critical habitat in Lake Pend Oreille (see Attachment D, Biological Assessment – preliminary determination).

- c. **If yes, was there formal or informal consultation with the United States Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS)?**

Formal consultation Informal consultation

- d. **If formal, provide date(s) and attach biological assessment, biological opinion, and any other relevant correspondence and cite location(s) in application package:**

- e. **If informal, provide dates and include correspondence or documented phone conversations with and from USFWS/NMFS and cite location(s) in the application package:** See Attachment D

- Benjamin Matibag, USFWS, Boise, Idaho. Communications (tel/email) regarding preferred documents for use in preparing bull trout biological assessments; August 15, 2017 and September 25, 2017.
- Michael Williams, USFWS, Eastern Washington/North Idaho Field Office, Spokane, Washington. Communications (tel/email) regarding bull trout in project area and impact assessment, fish work windows, and recent USFWS bull trout biological opinion in project area; October 2-11, 2017 and November 1, 2017.

- f. **Include Biological Assessment/Biological Evaluation, as appropriate.**

See Attachment D

13. Fish and Wildlife Coordination Act

- a. **Include any correspondence with USFWS and the relevant state wildlife agency regarding Fish and Wildlife Coordination Act coordination and cite location(s) in the application package:**

Not applicable; the proposed project is not a water resource development project.

14. Magnuson-Stevens Fishery Conservation and Management Act

- a. Will the proposed project likely adversely affect designated Essential Fish Habitats (EFH) as defined in the Magnuson-Stevens Act? (If no, provide evidence)**

Yes No Not applicable; there are no Pacific coast salmon in the project area.

- b. Identify location of EFH assessment and relevant correspondence with NMFS in the application package:**

15. Marine Mammal Protection Act

- a. Does the proposed project involve a “take” of marine mammals as defined in the Marine Mammal Protection Act?**

Yes No There are no marine waters or marine mammals in the project area.

- b. If yes, include the incidental harassment authorization or letter of authorization from NMFS and any relevant correspondence and cite location(s) in the application package:**

16. Migratory Bird Treaty Act

- a. Does the proposed project involve a potential take of migratory birds as defined in the Migratory Bird Treaty Act? (If no, provide evidence)**

Yes No The project will not take any migratory bird or nest.

- b. If yes, is a permit required?**

Yes No

- c. If a permit is required, include it and any correspondence with USFWS and cite location(s) in the application package:**

17. Bald and Golden Eagle Protection Act

- a. May the proposed project take or disturb bald or golden eagles (including nests) as defined in the Bald and Golden Eagle Protection Act? (If no, provide evidence)**

Yes No The project will not take any bald or golden eagles; there are no eagle nests at the project site/area.

- b. If yes, is a permit required?**

Yes No

- c. If a permit is required, include it and any correspondence with USFWS and cite location(s) in the application package.**

18. Invasive Species

a. **Does the proposed project have potential to introduce or foster the spread of invasive species?**

Yes No

b. If yes, cite the document that describes measures that will be taken to minimize this risk and location(s) in the application package:

19. Section 106

a. **Does the proposed project have potential to impact properties (including submerged abandoned shipwrecks) listed in or eligible for inclusion in the National Register of Historic Places?**

Yes No Cultural Resources Inventory/Technical Report.
 See Attachment H

b. If yes, provide evidence of consultation with the State Historic Preservation Officer (and the Advisory Council on Historic Preservation, if applicable) and cite location (s) in the application package. Include:

- Copies of the correspondence
- Memorandum of Agreement
- No effect determination

c. For projects involving Federal lands only provide:

- Archeological clearances
- Archeological reports

20. Clean Air Act

a. **Does the proposed project occur in an area of nonattainment or maintenance for any criteria pollutant?**

Yes No PM 10 maintenance

b. **If project occurs in a nonattainment or maintenance area, do the transportation or general conformity regulations, or both, apply?**

General Transportation

c. Is the project exempt from a transportation conformity analysis for any of the reasons listed in 40 CFR § 93.126? Which reason?

Not applicable; not a highway or transit project

Yes No Reason:

d. Is the project exempt from a general conformity analysis for any of the reasons listed in 40 CFR § 93.153(c)?

Yes No

e. If general conformity applies, is the project listed in a conforming State Implementation Plan (SIP)?

Yes No

f. If a general conformity determination was prepared, include the draft and final determinations and any relevant correspondence and cite their location(s) in the application package:

Not applicable

g. If transportation conformity applies, is the project listed in a conforming SIP, Transportation Improvement Program (TIP), Regional Transportation Plan (RTP), or Federal Implementation Plan (FIP)?

Not applicable

Yes No

h. If yes, cite location of information regarding listing in the application package:

i. If transportation conformity applies, does the project contribute to any new localized CO, PM₁₀, or PM_{2.5} violations or increase the frequency or severity or any existing violations of the same?

Yes No

j. If yes, cite location of information in the application package:

21. Actions to Address Environmental Justice in Minority or Low-Income Populations

a. Does the proposed project involve disproportionate adverse impacts to minority and/or low-income populations as defined in Executive Order 12898?

Yes No

b. If yes, include the analysis describing the impacts and cite location(s) in the application package:

- c. If yes, cite the location in the application package that describes measures to be taken to reduce those impacts:

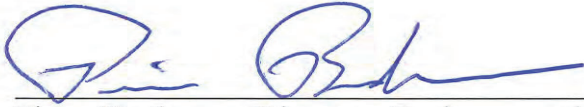
22. Hazardous Materials, Substances or Wastes

- a. **Does the proposed project involve or is it located near a Superfund site or any site regulated under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA) or State law regulating hazardous materials, substances or wastes?**

Yes No

- b. If yes, cite the location(s) in the NEPA document where hazardous materials, substances or wastes are discussed:

Authorized Agent:



Pierre Bordenave, Director - Environmental
Jacobs Engineering Services, Inc.

Attachments:

- A – Authorized Agent Letter
- B – Reference Maps
- C – Plans (30%; Existing Conditions / Proposed Work)
- D – Biological Assessment
- E – Water Quality Monitoring and Protection Plan
- F – Alternatives Analysis
- G – Reasonable Needs of Navigation Analysis
- H – Cultural Resources Inventory Technical Report
- I – Joint Application for Permit (Section 404 & Section 401)
- J – Wetland and Stream Delineation Report

Mr. Steve Fischer, Bridge Program Administrator
13th Coast Guard District
Waterways Management (dpw)
915 2nd Avenue, Room 3510
Seattle, WA 98174

**RE: Coast Guard Bridge Permit Application
Proposed BNSF Railway Company Lake Pend Oreille Bridge 3.9
Sandpoint Junction Connector Project in Bonner County, ID**

Dear Mr. Fischer:

Application is hereby made for a Coast Guard bridge permit.

A. ADMINISTRATIVE AND NAVIGATION INFORMATION

1. Application Date: 12/21/2017

a. Applicant information:

- 1) **Name:** BNSF Railway Company (BNSF)
Attn: Matthew Keim, Manager Engineering
- 2) **Address:** Northtown GOB
80 - 44th Avenue NE
Minneapolis, MN 55421
- 3) **Telephone number:** 763-782-3489
- 4) **Email address:** Matthew.Keim@BNSF.com

b. Consultant/Agent information (if employed):

- 1) **Name (company or individual):** Pierre Bordenave, Director – Environmental
Jacobs Engineering Group, Inc.
- 2) **Address:** 101 N. Fourth Avenue, Suite 203
Sandpoint, ID 83864
- 3) **Telephone number:** 208-263-9391
- 4) **Email address:** Pierre.Bordenave@jacobs.com

- 5) Letter authorizing a consultant/agent to obtain permits on behalf of the applicant included:** Yes No See Attachment A

c. Name of Proposed Bridge(s): BNSF Bridge 3.9

- 1) Name of the waterway that the bridge(s) would cross:**

Lake Pend Oreille

- 2) Number of miles above the mouth of the waterway where the bridge(s) would be located and provide latitude and longitude coordinates (degree/minute/second) at centerline of navigation channel (contact the local Coast Guard Bridge Office for guidance):**

The new bridge will be located approximately 2.7 miles above the lake's "outlet arm"/mouth to the Pend Oreille River. The approximate latitude and longitude for the centerline of the navigation channel is 48°15'25.33"N; 116°31'40.09"W.

- 3) City or town, county/parish, and state where the bridge(s) would be located at, near, or between:**

City of Sandpoint, Bonner County, Idaho

- 4) Brief description of project to include type of bridge(s) proposed [fixed or movable (drawbridge, bascule, vertical lift, swing span, pontoon), highway, railway, pedestrian, pipeline] and existing bridge(s) at project site, if applicable:**

There is an existing interstate, mainline railroad bridge at the project site. The existing fixed bridge has both open-deck and ballast-deck spans, and is 4,769 feet long with 88 piers. Thirty-two of the original 100+ year-old single-column concrete piers on wood pilings (16 on the north end and 16 on the south end of the bridge) were replaced in 2006-2009 with steel bents, each comprised of six closed-end steel pipe piles. The existing bridge also has a non-operable swing span over the two existing, published 76.6-foot-wide navigation channels.

The new bridge will be approximately 50 feet west of, and parallel to, the existing bridge. The new bridge will be a fixed, 49-span, 4,874-foot-long bridge made of precast, pre-stressed concrete I-girders, a cast-in-place concrete deck, and pre-cast concrete caps over 48 in-water piers. Each pier will be comprised of six 36-inch-diameter open-ended steel pipe piles, for a total of 288 piles below the OHWM.

Proposed work activities include development of access roads and staging areas at the north and south end of the bridge, and construction of a temporary timber-deck construction bridge adjacent to and west of the new bridge. The temporary bridge will consist of 102 spans, each approximately 32 feet wide and 46 feet long. The temporary bridge will be supported by 137 in-water piers consisting of 24-inch-diameter steel piles. Seventy-six (76) piers will consist of four piles, and 25 piers will consist of eight piles. Additionally, there will be eight staging setouts at approximately 500-foot intervals, supported by 32 piers each consisting of four

24-inch-diameter steel pipe piles. In total there may be up to 700 24-inch-diameter piles to accommodate minor adjustments in support needs and site conditions.

- 5) Drawbridge Regulations (if applicable):** Not applicable
- 6) Date of plans and number of plan sheets:** November 2017
- 7) Estimated cost of bridge(s) and approaches:**
- a) Provide the estimated cost of the bridge(s) as proposed, with vertical and horizontal navigational clearances:**
- Estimated cost: over \$100 million
 - Vertical clearance: 14 feet at each of two published navigational and two adjacent spans (Spans 35-38); 15 feet at 6 spans (32-34 and 39-41); 12.5 at 39 spans (1-31 and 42-49).
 - Horizontal clearance: 93.5 feet at each of two published navigational and two adjacent spans (Spans 35-38); 65.4 feet at 6 spans (32-34 and 39-41); 93.5 feet at 39 spans (2-31 and 42-49); and 7 feet at Span 1.
- b) Provide the estimated cost of a low-level bridge(s) on the same alignment with only sufficient clearance to pass high water while meeting the intended purpose and need:**
- The cost of a low level bridge for railroad use on this alignment would cost the same. However, a low level bridge would block navigation between Pend Oreille Lake and the River. The proposed bridge meets the intended purpose and need while preserving existing navigational passage.
- 8) Type and source of project funding (federal, state, private, etc.):**
 Private funding by BNSF
- 9) Proposed project timeline:**
 The project will take approximately 3 - 3.5 years (2018-2021). Proposed work is year-round.

Fall 2018	Wetland & nearshore fills Begin temporary work bridge
2019	Finish structural fills Temporary work bridge construction Begin permanent bridge pile driving
2020	Finish permanent bridge pile driving Install permanent bridge spans Track & infrastructure construction
2021	Finish track & infrastructure construction Remove temporary work bridge

10) Other Federal actions (e.g., permits, approvals, funding, etc.) associated with the proposal:

- U.S. Army Corps of Engineers (USACE): Section 404 permit; Section 10 permit
- U.S. Environmental Protection Agency (USEPA): Section 402 NPDES Construction Stormwater General Permit
- Idaho Dept. of Environmental Quality (IDEQ): Section 401 Water Quality Certification
- US Fish & Wildlife Service (USFWS): Endangered Species Action (ESA) Section 7 compliance
- National Historic Preservation Act (NHPA) Section 106 compliance

d. Legal authority for proposed action:

- 1) **Cite appropriate Bridge Act:** General Bridge Act of 1946
- 2) **If not the owner of the existing bridge(s) that is being replaced or modified, include a signed statement from the bridge owner authorizing the removal or modification work and cite its location:** NA
- 3) **For privately owned bridges, cite authorization for right to build (e.g. deed or easement from the property owner authorizing the proposed construction or modification work):**

Not applicable; BNSF owns the right-of-way.

International bridges (if applicable): NA

- 1) **Cite the International Bridge Act of 1972, or a copy of the Special Act of Congress if constructed prior to 1972, as the legislative authority for international bridge construction:**
- 2) **For permits issued under the International Bridge Act of 1972, cite Presidential approval, via the State Department, included with the application as required:**

NOTE: Please include a copy of State Department approval for international bridges in the application package for a Coast Guard bridge permit.

e. Dimensions of the proposed bridge(s):

- 1) **Vertical clearance as indicated on plan sheets:**
 - 14 feet at the two published navigational spans (lighted) and the two approach spans on either side of the navigation channel. (Spans 35-38)
 - 15 feet for 6 spans (Spans 32-34 and 39-41)
 - 12.5 feet for 39 spans (Spans 1-31 and 42-49)

2) Horizontal clearance as indicated on plan sheets:

- 93.5 feet at the two published and lighted navigational spans and the two approach spans on either side of the navigation channel. (Spans 35-38)
- 65.4 feet for 6 spans (Spans 32-34 and 39-41)
- 93.5 feet for spans 38 spans (Spans 2-31 and 42-49)
- 7 feet for span 1 at north end of bridge.

3) Length of bridge(s) project: 4,874 feet

If no prior permit exists, and this is a modification or replacement project, is the length the same as the old bridge:

Not applicable; not a modification or replacement

If not, what is the difference:

4) Width of bridge(s) project: 18 feet

If no prior permit exists, and this is a modification or replacement project, is the width the same as the old bridge:

Not applicable; not a modification or replacement

If not, what is the difference:

5) Depth of the waterway at project site at MHW if tidal or OHW if non-tidal, using the appropriate elevation and datum (e.g., NGVD 1929, NAVD 1988, etc.):

36.5 feet to 46.5 feet within published navigation channels during summer pool (NAVD 1988)

6) Width of waterway at project site at MHW if tidal or OHW if non-tidal:

Approximately 4,800 feet

7) Significant effect on flood heights and associated drift, if any, that could cause a navigation hazard:

No significant effect on flood heights and associated drift.

f. Temporary Bridge(s) dimensions (vertical clearance, horizontal clearance, length and width), if applicable:

1) Vertical clearance:

- Less than 10 feet at north end temporary bridge spans 1-16
- Rising 10 to 15 feet at temporary bridge spans 17-67
- 15 feet at temporary bridge spans 68-71
- Lowering 15 to 10 feet at south end temporary bridge spans 72-101

2) Horizontal clearance:

- 42 - 44.8 feet at temporary bridge spans 68-71
- 42 feet for all remaining temporary bridge spans except for Spans 1 and 102

3) Length:

- 4,800 feet

4) Width:

- 32 feet, with eight staging and safety setouts of 63 feet

g. [Include the following language, if applicable] Enclosed are the waterway data requirements as determined by the Coast Guard District Bridge Office. If a navigation impact report was conducted please cite location(s) in the case file, list title and date of document as appropriate:

Not applicable; no waterway data requirements determined by the USCG are enclosed.

h. Existing bridge(s) if applicable:**1) Name of bridge(s):** BNSF Bridge 3.9

2) Type of bridge(s) and number of lanes (e.g., fixed or moveable (drawbridge, bascule, vertical lift, swing span, pontoon, etc.); highway, railway, pedestrian, pipeline):

Fixed single-track railway bridge

3) For movable spans identify the existing drawbridge operating regulation governing the structure (e.g. 33 CFR 117.XXX, if applicable):

Not applicable; there are no movable spans.

When applicable, identify if the local Coast Guard Bridge Office identified that modification of an existing drawbridge requires revision or removal of the existing regulation (e.g. if the bridge project involves replacing the existing drawbridge with a fixed bridge):

NOTE: If the waterway is not already identified in 117 Subpart B, please note if an operating schedule other than open on demand is being considered.

4) Latitude and longitude coordinates (degree/minute/second) at centerline of the bridge(s):

48°15'14.97"N, 116°31'29.66"W

5) Dimensions of the existing bridge(s):**a) Vertical clearance(s) as indicated on previous plan sheets (include both the open and closed-to-navigation clearances for movable spans). [The proposed and existing vertical clearances must be compared using the same datums. This may require surveying the existing bridge]:**

- 14 feet at each of two published and lighted navigation spans (Spans 67 and 68)
- 16 to 16.5 feet at the 6 approach spans either side of navigation channels (Spans 64 – 66 and 69 – 71)
- 12.5 feet all remaining spans (1 - 63 and 72 – 88)

b) Horizontal clearance as indicated on previous plan sheets:

- 76.6 feet at each of two published and lighted navigational spans (Spans 67 & 68)
- 89.6 feet for two approach spans on either side of published and lighted navigation spans (Spans 66 and 69)
- 65 feet two spans either side of above approach spans (Spans 64, 65, 70, 71)
- 14 feet for north end Span 1
- 40 feet for main bridge 74 spans (Spans 2 - 62 and 73 - 87)
- 17 feet on two connector (skip) spans (Spans 63 and 72)
- 7 feet for south end Span 88

c) Length of existing bridge(s): 4,769 feet**d) Width of existing bridge(s): 16 feet****6) Owner of the existing bridge(s): BNSF****i. Discuss construction methodology, if known, and removal of existing bridge(s), as applicable:**

Not applicable; the existing bridge will not be removed.

1) Discuss proposed construction methodology and restrictions:**2) Discuss maintenance of land traffic during construction activities:****3) Discuss extent of removal of existing bridge(s) (e.g. in its entirety, two feet below the mud line, down to or below the natural bottom of the waterway or to a specific elevation), time needed for removal, etc.: Not applicable****4) Discuss demolition methodology:**

NOTE: In the interest of navigational safety, the Coast Guard must make the

final decision concerning the extent of bridge(s) removal.

j. Other agencies with jurisdiction over the proposed project:

1) Agency: USACE, USFWS, USEPA, IDEQ, IDL

2) Permits or type of approvals required for the project:

- Section 10 Bridge Permit
- Clean Water Act - Sections 401, 404, and 402
- Non-Navigational Encroachment Permit
- ESA Section 7 consultation
- NHPA Section 106 concurrence

B. ENVIRONMENTAL INFORMATION:

1. National Environmental Policy Act

Lead Federal Agency: USCG

List Cooperating Agencies for project: USACE

a. Type of environmental document.

Environmental Impact Statement/Record of Decision (EIS/ROD)

Cite location(s) in the application package:

* **Environmental Assessment/Finding of No Significant Impact (EA/FONSI)**

Cite location(s) in the application package:

* Preliminary EA under separate submittal

Categorical Exclusion (CE)

Cite location(s) in the application package:

b. Has the environmental document been modified, reevaluated, supplemented or rescinded for the proposed action?

Yes No

If yes, cite location(s) in the application package:

2. Environmental Effects Abroad

a. Does the proposed project involve a bridge connection to Canada or Mexico?

Yes No

If yes, cite location(s) in NEPA document where environmental effects abroad are described:

3. Clean Water Act

a. Has a Water Quality Certification (WQC), waiver or statement that the WQC is not required been obtained from the appropriate federal, interstate, or state agency?

Yes No

If yes, cite location(s) in the application package:

The WQC will be provided when available/issued by IDEQ.

NOTE: The USCG will not accept an application package as complete if a WQC, waiver, or statement from the appropriate regulatory body has not been obtained.

b. Name of the Federal, State or Tribal certifying agency and point of contact with phone and email address, if available:

Idaho Department of Environmental Quality; June Bergquist, Regional Water Quality Compliance Officer; 208-666-4605; june.bergquist@deq.idaho.gov

c. If the WQC is granted under a Programmatic Agreement (e.g., U.S. Army Corps of Engineers (USACE) Nationwide Permit (NWP) include the date of the NWP, the type of NWP (14, 15, etc.) and the NWP number and title:

Not applicable;

d. For permit amendment actions, include a new WQC or a written confirmation from the certifying agency that the existing WQC has been reissued/renewed or is still valid for the proposed action.

Not applicable, not a permit amendment.

New WQC Attached

Written Confirmation of WQC validity attached

4. Wetlands

a. **Is the proposed project located in or adjacent to a wetland?**

Yes No

b. **If yes, what is the acreage of wetlands that will be permanently and temporarily impacted by the proposed project?**

Nearshore fill for Bridge 3.9 will result in 0.58 acres of permanent impact and 0.33 acres of temporary impact.

Include USACE permit (nationwide authorization or individual), if required, and cite where wetland mitigation measures are described in the application package:

A USACE permit for the entire Sandpoint Junction Connector project is being reviewed concurrently with this application and will be provided when available. Wetland mitigation measures are described in the Biological Assessment included with this application package.

5. **Coastal Zone Management Act - The Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. § 1451), as amended, and its implementing regulations (15 CFR Part 930), requires all projects located within the designated coastal zone of a state to be consistent with the State's federally approved CZM plan (CZMP).**

a. **Is the project located in a state that has an approved Coastal Zone Management Act Plan (CZMP)?**

Yes No

b. **If yes, is the project within an area included in the federally approved CZMP?**

Yes No

c. **If yes, has the State specifically excluded this activity from its federally approved CZMP?**

Yes No

Include State CZM concurrence/with consistency certification and cite location(s) in the application package:

6. Floodplains

a. **Is the proposed project located in the base floodplain? An encroachment into the base floodplain does not exist when only the piers, pilings, or pile bents are located in the floodplain.**

Yes No

- b. Is there a significant encroachment (constituting a considerable probability of loss of human life; likely future damage associated with the encroachment that could be substantial in cost or extent; or a notable adverse impact on natural and beneficial floodplain values) into the floodplain?**

Yes No Encroachment consists of 0.88-acre of permanent nearshore edge fill for the bridge approaches, and is not a significant encroachment.

- c. If yes, provide documentation and cite location(s) in the application package:**

7. Wild and Scenic Rivers

- a. Is the river involved in the proposed bridge project a designated Wild and Scenic River?**

Yes No

- b. If yes, attach correspondence with the river-administering agency and cite location(s) in the application package:**

8. Coastal Barrier Resources Act

- a. Does the proposed project connect to a unit of the Coastal Barrier Resources System?**

Yes No

- b. If yes, and the project is federally funded, cite location of Section 6 exception in the application package and any correspondence with the FWS:**

9. Land and Water Conservation Fund Act

- a. Does the proposed project involve a conversion of land or facilities funded under Section 6(f) of the Land and Water Conservation Fund Act?**

Yes No

- b. If yes, include correspondence with the NPS and authorization from the Secretary of the Interior for that conversion and cite location(s) in the application package:**

10. National Marine Sanctuaries Act

- a. Is the proposed project in or adjacent to a National Marine Sanctuary?**

Yes No

- b. Is the proposed bridge(s) likely to destroy, cause loss of, or injure a resource of a National Marine Sanctuary? (If no, provide evidence)**

Yes No There are no marine waters associated with the project.

- c. If yes, include evidence of consultation with Office of National Marine Sanctuaries and the agency's findings/conditions and cite location(s) in the application package:

11. Marine Protected Areas

- a. **Is the proposed project in or adjacent to a Marine Protected Area (MPA) as defined in section 4(d) of Executive Order 13158?**

Yes No

- b. If yes, will the proposed project affect the natural or cultural resources that are protected by the MPA? (If no, provide evidence)

Yes No

- c. If yes, include evidence of correspondence with MPA Center, if applicable, and cite location(s) in the application package:

12. Endangered Species Act

- a. **Are there federally designated threatened or endangered species and/or critical habitat in the area that the proposed project is located? (If no, provide evidence)**

Yes No

- b. **May the proposed project affect federally designated threatened or endangered species and/or critical habitat? (If no, provide evidence)**

Yes No Biological Assessment - preliminary determination
 May affect, is not likely to adversely affect bull trout; no effect to bull trout critical habitat. See Attachment D

- c. **If yes, was there formal or informal consultation with the United States Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS)?**

Formal consultation

Informal consultation

- d. **If formal, provide date(s) and attach biological assessment, biological opinion, and any other relevant correspondence and cite location(s) in application package:**

e. If informal, provide dates and include correspondence or documented phone conversations with and from USFWS/NMFS and cite location(s) in the application package: See Attachment D

- Benjamin Matibag, USFWS, Boise, Idaho. Telephone communication and emails with attachments regarding preferred documents for use in preparing bull trout biological assessments; August 15, 2017 and September 25, 2017.
- Michael Williams, USFWS, Eastern Washington/North Idaho Field Office, Spokane, Washington. Telephone communications regarding bull trout in project area and impact assessment, and email communication regarding work windows with attachment regarding recent USFWS bull trout biological opinion in project area; October 2-11, 2017 and November 1, 2017.

f. Include Biological Assessment/Biological Evaluation, as appropriate.

See Attachment D

13. Fish and Wildlife Coordination Act

a. Include any correspondence with USFWS and the relevant state wildlife agency regarding Fish and Wildlife Coordination Act coordination and cite location(s) in the application package:

Not applicable; the proposed project is not a water resource development project.

14. Magnuson-Stevens Fishery Conservation and Management Act

a. Will the proposed project likely adversely affect designated Essential Fish Habitats (EFH) as defined in the Magnuson-Stevens Act? (If no, provide evidence)

Yes No Not applicable

b. Identify location of EFH assessment and relevant correspondence with NMFS in the application package:

15. Marine Mammal Protection Act

a. Does the proposed project involve a “take” of marine mammals as defined in the Marine Mammal Protection Act?

Yes No

b. If yes, include the incidental harassment authorization or letter of authorization from NMFS and any relevant correspondence and cite location(s) in the application package:

16. Migratory Bird Treaty Act

- a. **Does the proposed project involve a potential take of migratory birds as defined in the Migratory Bird Treaty Act? (If no, provide evidence)**

Yes No The project will not take any migratory bird or nest.

- b. If yes, is a permit required?

Yes No

- c. If a permit is required, include it and any correspondence with USFWS and cite location(s) in the application package:

17. Bald and Golden Eagle Protection Act

- a. **May the proposed project take or disturb bald or golden eagles (including nests) as defined in the Bald and Golden Eagle Protection Act? (If no, provide evidence)**

Yes No The project will not take any bald or golden eagles; there are no eagle nests at the project site/area.

- b. If yes, is a permit required?

Yes No

- c. If a permit is required, include it and any correspondence with USFWS and cite location(s) in the application package.

18. Invasive Species

- a. **Does the proposed project have potential to introduce or foster the spread of invasive species?**

Yes No

- b. If yes, cite the document that describes measures that will be taken to minimize this risk and location(s) in the application package:

19. Section 106

- a. **Does the proposed project have potential to impact properties (including submerged abandoned shipwrecks) listed in or eligible for inclusion in the National Register of Historic Places?**

Yes No

See Attachment H, Cultural Resources Inventory/Technical Report

- b.** If yes, provide evidence of consultation with the State Historic Preservation Officer (and the Advisory Council on Historic Preservation, if applicable) and cite location (s) in the application package. Include:

- Copies of the correspondence
- Memorandum of Agreement
- No effect determination

- c.** For projects involving Federal lands only provide:

- Archeological clearances
- Archeological reports

20. Clean Air Act

- a. Does the proposed project occur in an area of nonattainment or maintenance for any criteria pollutant?**

- Yes No PM 10 maintenance

- b. If project occurs in a nonattainment or maintenance area, do the transportation or general conformity regulations, or both, apply?**

- General Transportation

- c. Is the project exempt from a transportation conformity analysis for any of the reasons listed in 40 CFR § 93.126? Which reason?**

Not applicable; not a highway or transit project

- Yes No Reason:

- d. Is the project exempt from a general conformity analysis for any of the reasons listed in 40 CFR § 93.153(c)?**

- Yes No

- e. If general conformity applies, is the project listed in a conforming State Implementation Plan (SIP)?**

- Yes No

- f. If a general conformity determination was prepared, include the draft and final determinations and any relevant correspondence and cite their location(s) in the application package:**

Not applicable

- g. If transportation conformity applies, is the project listed in a conforming SIP, Transportation Improvement Program (TIP), Regional Transportation Plan (RTP), or Federal Implementation Plan (FIP)?**

Not applicable; transportation conformity does not apply.

Yes No

- h. If yes, cite location of information regarding listing in the application package:**

- i. If transportation conformity applies, does the project contribute to any new localized CO, PM₁₀, or PM_{2.5} violations or increase the frequency or severity or any existing violations of the same?**

Yes No

- j. If yes, cite location of information in the application package:**

21. Actions to Address Environmental Justice in Minority or Low-Income Populations

- a. Does the proposed project involve disproportionate adverse impacts to minority and/or low-income populations as defined in Executive Order 12898?**

Yes No

- b. If yes, include the analysis describing the impacts and cite location(s) in the application package:**

- c. If yes, cite the location in the application package that describes measures to be taken to reduce those impacts:**

22. Hazardous Materials, Substances or Wastes

- a. Does the proposed project involve or is it located near a Superfund site or any site regulated under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA) or State law regulating hazardous materials, substances or wastes?**

Yes No

- b. If yes, cite the location(s) in the NEPA document where hazardous materials, substances or wastes are discussed:**

Authorized Agent:



Pierre Bordenave, Director - Environmental
Jacobs Engineering Group, Inc.

Attachments:

- A – Authorized Agent Letter
- B – Reference Maps
- C – Plans (30%; Existing Conditions / Proposed Work)
- D – Biological Assessment
- E – Water Quality Monitoring and Protection Plan
- F – Alternatives Analysis
- G – Reasonable Needs of Navigation Analysis
- H – Cultural Resources Inventory Technical Report
- I – Joint Application for Permit (Section 404 & Section 401)
- J – Wetland and Stream Delineation Report