



# Notice of Intent

## Construction Stormwater General Permit

Application Type: ☒ New ☐ Renewal Permit Number:

NOI 9486  
:

### I. Contact Information

Permittee		
Honorific: Mr.	First Name: Glen	Last Name: Gaz
Company Name: BNSF Railway Company		Title: Manager Engineering
Mailing Address: 2454 Occidental Ave S, Suite 2-D		
City: Seattle	State: WA	Zip Code: 98134-1451
Email: glen.gaz@bnsf.com		
Business Phone: 206-625-6150	Fax:	Cell Phone:
UBI Number:		
Site Contact		
Honorific: Mr.	First Name: Pierre	Last Name: Bordenave
Company Name: J.L. Patterson & Associates, Inc.-Environmental		Title: CPESC
Mailing Address: PO Box 1724		
City: Sandpoint	State: ID	Zip Code: 83864-0901
Email: pbordenave@jlpatterson.com		
Business Phone: 208-263-9391	Fax:	Cell Phone:
UBI Number:		
Site Owner		
Honorific: Mr.	First Name: John	Last Name: Lovenburg
Company Name: BNSF Railway Company		Title: Vice President
Mailing Address: 2500 Lou Menk Dr AOB-3		
City: Fort Worth	State: TX	Zip Code: 76131-2828
Email: john.lovenburg@bnsf.com		
Business Phone: 817-352-1459	Fax:	Cell Phone:
UBI Number:		

### II. Electronic Discharge Monitoring Reporting

You must submit monthly discharge monitoring reports using Ecology's Electronic Discharge Monitoring Reporting (WQWebDMR) system. To sign up for WQWebDMR, or to register a new site, go to [www.ecy.wa.gov/stormwater](http://www.ecy.wa.gov/stormwater), and click on the "Construction Stormwater" link. You will find information on WQWebDMR under the "WQWebDMR and PARIS" link on the right-hand side. If you are unable to submit your DMRs electronically, you may contact Ecology to request a waiver. Ecology will generally only grant waiver requests to those permittees without internet access. Only a permittee or representative, designated in writing, may request access to or a waiver from WQWebDMR. To have the ability to use the system immediately, you must submit the Electronic Signature Agreement with your application. If you have questions on this process, contact Ecology's WQWebDMR staff at [WQWebPortal@ecy.wa.gov](mailto:WQWebPortal@ecy.wa.gov) or 360-407-7097.

### III. Site Information

**Site Project Name:** BNSF Intalco Yard Improvement Project

**Street Address or Location Description:** BNSF NW Division, Cherry Point Subdivision, Line Segment 418, from Milepost (MP) 0.20 to MP 1.82.

**City:** Custer

**County:** Whatcom

**Zip Code:** 98240

**Latitude:** 48.922815

**Longitude:** -122.67159

**Type of Construction Activity:**

- ☐ Residential  
☐ Commercial  
☐ Industrial  
☐ Highway or Road (city, county, state)  
☐ Utilities (specify):  
☒ Other (specify): Transportation

**Site Acreage**

Total site/project size: 16.2 acres

Total disturbed area: 3.4 acres

*Total area of soil disturbance for your site/project over the life of the project. Include grading, equipment staging, excavation, borrow pit, material storage areas, dump areas, haul roads, side-cast areas, off-site construction support areas, and all other soil disturbance acreage associated with the project.*

**Estimated project start date:** 3/15/2016

**Estimated project completion date:** 9/16/2016

**Other Permits**

None

**IV. Existing Site Conditions**

1. Are you aware of contaminated soils on this site? ☐ Yes ☒ No  
2. Are you aware of groundwater contamination located within the site boundary? ☐ Yes ☒ No  
3. If you answered yes to question 1 or 2, will any contaminated soils be disturbed or will any contaminated groundwater be discharged due to the proposed construction activity? ☐ Yes ☐ No

If yes, please provide detailed information (as known and readily available) on the nature and extent of the contamination (concentrations, locations, and depth) as well as pollution prevention and/or treatment Best Management Practices (BMPs) proposed to control the discharge of soil and/or groundwater contaminants in stormwater. This should include information that would be included in related portions of the Stormwater Pollution Prevention Plan (SWPPP) that describe how contaminated and potentially contaminated construction stormwater and dewatering water will be managed. You may attach this information separately, if needed

**V. Stormwater Pollution Prevention Plan (SWPPP)**

You must develop a SWPPP prior to starting construction. Do not submit your SWPPP with your application. If you answered yes to the questions in Part IV, please submit the information that would be included in related portions of the SWPPP that describe how contaminated and potentially contaminated construction stormwater and dewatering water will be managed.

**VI. Best Management Practices (BMPs)**

You must use the BMPs listed in the Stormwater Management Manual for Western Washington or the Stormwater Management Manual for Eastern Washington or other manuals approved by Ecology. Alternatively, you may use demonstrably equivalent BMPs on the basis of permit condition S9.C.4. If you intend to use a BMP at your site that is not included in these manuals, but that you believe meets the definition of a demonstrably equivalent BMP, you must notify the appropriate regional office. (See Definitions in the Construction Stormwater General Permit).\*

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/contacts.html>

*\*Note that if you receive permit coverage without indicating the preference for a demonstrably equivalent BMP and later decide to use one, you must provide Ecology with notice of the selection of an equivalent BMP no less than 60 days before the intended use of the equivalent BMP.*

**VII. Discharge/Receiving Water Information**

Indicate whether your site's stormwater and/or dewatering water could enter surface waters, directly and/or indirectly:

☒ Water will discharge directly or indirectly (through a storm drain system or roadside ditch) into one or more surface waterbodies (wetlands, creeks, lakes, and all other surface waters and water courses).

If your discharge is to a storm sewer system, provide the name of the operator of the storm sewer system:

☐ Water will discharge to ground with 100% infiltration, with no potential to reach surface waters under any conditions.

If your project includes dewatering, you must include dewatering plans and discharge locations in your site Stormwater Pollution Prevention Plan.

#### Location of Discharge into Surface Waterbody

Outfall Number	Outfall Description	Surface Waterbody Name	Outfall Type	Latitude	Longitude
DM1	ROW edge	California Creek	Surface Water Body	48.923024	-122.666601
DM2	CMP Culvert Outlet	unnamed wetland	Surface Water Body	48.922997	-122.682565
DM3	CMP Culvert Outlet	unnamed wetland	Surface Water Body	48.92302	-122.682877

#### VIII. State Environmental Policy Act (SEPA)

This Notice of Intent (NOI) is incomplete and cannot be approved until the applicable SEPA requirements under Chapter 197-11 WAC are met.

**Who is the SEPA lead agency on your site?** Washington Department of Ecology

**Has the SEPA lead agency issued a final decision on your checklist?** ☒ Yes ☐ No ☐ Exempt

**If No: The NOI is incomplete.** Ecology will hold the application until a final SEPA decision is made or the Construction Stormwater NOI public comment period ends, whichever is later. **You must notify Ecology once the lead agency has issued a determination.**

**If Yes:** Type of SEPA decision issued: DNS

Date of final SEPA decision: 11/10/2015

Date when all SEPA-related comment & appeal periods ended or will end: 11/24/2015

#### **If Exempt:**

- ☐ Watershed Restoration & Fish Habitat Enhancement Exemption (RCW 43.21C.0382).
- ☐ Infill Development Exemption (RCW 43.21C.229).
- ☐ Planned Action Exemption (RCW 43.21C.031).
- ☐ Categorical Exemption. Under what section of the SEPA Rule (WAC 197-11-800) is it exempt?

Section: \_\_\_\_\_

#### IX. Public Notice

You must publish a public notice at least **once** a week for **two** consecutive weeks with **seven days** between publications, in at least a **single** newspaper of general circulation in the county in which the construction is to take place. Ecology cannot grant permit coverage sooner than the end of the 30-day public comment period, which begins on the date of the **second** public notice.

Newspaper Name	First Public Notice Date	Second Public Notice Date
Ferndale Record	12/16/2015	12/23/2015

#### X. Certification of Permittees

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

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Permittee Signature

2/16/2016

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Date