



Central Valley Regional Water Quality Control Board

29 November 2022

Stephen Cheney
Union Pacific Railroad Company
1400 Douglas Street
Omaha, NE 68179

NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION OF ARMY CORPS OF ENGINEERS' 2021 NATIONWIDE PERMITS (ORDER NO. WQ 2021-0048-DWQ), UNION PACIFIC RAILROAD COMPANY (UPRR), CANYON SUBDIVISION, MILEPOST 264.85 BRIDGE REPLACEMENT PROJECT (WDID NO. 5A32CR00234), PLUMAS COUNTY

On 30 September 2022, Union Pacific Railroad Company (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Canyon Subdivision, Milepost 264.85 Bridge Replacement Project under State Water Resources Control Board's Clean Water Act Section 401 General Water Quality Certification of Army Corps of Engineers' 2021 Nationwide Permits (Order No. WQ 2021-0048-DWQ). The applicable Nationwide Permit (NWP) is NWP 14, Linear Transportation Projects. After review of the NOI and supplemental materials submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Canyon Subdivision, Milepost 264.85 Bridge Replacement Project (Project) qualifies for enrollment under this General Order.

The Central Valley Water Board is certifying this Project under Water Quality Order WQ 2021-0048-DWQ. This Notice of Applicability (NOA) is being issued at the request of Union Pacific Railroad Company (hereinafter Enrollee) under the General Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the General Order is enclosed. You can also access the General Order on [State Water Resources Control Board's General Orders Web Page](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2021) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2021).

The Project must proceed in accordance with the requirements contained in this NOA and the General Order. Project Status Notifications in the General Order include a Commencement of Construction Notice at least seven days prior to start of initial disturbance activities and a Request for Notice of Project Complete Letter within 30 days following completion of all project activities, including post-construction monitoring.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

The Project is described in the NOI Form requesting coverage and supplementary information (Application Package). If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

I. Public Notice

The Central Valley Water Board provided public notice of the application from 30 September 2022 to 21 October 2022. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The proposed project will replace the existing 200-foot-long, structural plate pipe culvert at Milepost 264.85. UPRR will replace the existing culvert with an adjacent 210-foot-long by 72-inch-diameter smooth steel pipe culvert. The replacement culvert will be horizontally auger bored through the existing railroad embankment approximately 6 feet east of the existing culvert. The increase in size is a maintenance Best Management Practice (BMP) to enhance conveyance capability at this location.

Prior to new culvert placement, a temporary jack and bore pit will be excavated near the inlet of the existing culvert, south of the existing headwall. This pit will be approximately centered on the location of the proposed replacement culvert (immediately east of and adjacent to the existing culvert). The jack and bore pit will extend south of the existing culvert headwall, roughly perpendicular to the track alignment. To position the jack and bore equipment at the proper elevation, the pit will be excavated to a depth of no more than 6 feet below the invert elevation of the existing culvert. A smaller temporary receiving pit will be excavated near the outlet at the north end to daylight the new culvert. The jack and bore equipment will be used to push 20-foot segments of smooth steel pipe into the railroad fill, with additional pipe segments welded onto the previous segment as it is driven through the railway fill material.

The completed culvert will be stabilized at both ends with small concrete headwalls within the existing embankment fill, and the drainage will be restored to align to the replacement culvert on either side. Riprap will be placed to extend 4 feet from the culvert inlet and outlet and sloped to form an apron, resulting in a new culvert structure approximately 218 feet long. The existing culvert will be grouted to abandon it in place. The headwalls and aprons will extend 12-feet on either side of the proposed culvert and will permanently affect approximately 0.002 acre (87.12 square feet) of waters of the United States associated with the channel at the existing culvert 6 feet to the west.

III. Project Location

County: Plumas County

Address: The Project area is located along the UPRR railway, approximately 0.2-mile east of the Rich Bar Road bridge over the East Branch North Fork Feather River, but is not accessible by passenger vehicle.

Section 22, Township 25 North, Range 07 East, MDB&M.

Latitude: 40.0120° and Longitude: -121.1835°

Maps showing the Project location are found in Attachment A of this NOA.

IV. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of the Central Valley Water Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, May 2018 (Basin Plan). The plan for the region and other plans and policies may be accessed at the [State Water Resources Control Board's Plans and Policies Web page](http://www.waterboards.ca.gov/plans_policies/) (http://www.waterboards.ca.gov/plans_policies/). The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This NOA promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

Project impact and receiving waters information can be found in Attachment B. Table 1 of Attachment B shows the receiving waters and beneficial uses of waters of the state impacted by the Project. Individual impact location and quantity are shown in Table 2 of Attachment B.

V. Description of Direct Impacts to Waters of the United States

The Project will impact 0.002 acre of Waters of the United States. These impacts include permanent impacts of 0.002 acre of stream channel.

Total Project fill/excavation quantities for all impacts are summarized in Table 1.

Table 1: Total Project Fill/Excavation Quantity for Permanent Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.002	4.8	8

VI. California Environmental Quality Act (CEQA)

The Central Valley Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, Title 14, section 15061. Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, Title 14, section 15302. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure

replaced and will have substantially the same purpose and capacity as the structure replaced.

VII. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

VIII. Fees Received

An application fee of \$2,417.00 was received on 30 September 2022. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as Category E – Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

IX. Compensatory Mitigation

No compensatory mitigation was required for the permanent impacts due to the scope and nature of the impacts and waterbody affected. The Project proposes to improve the flow conditions and capacity of the existing drainage thereby improving water quality. To the extent feasible, the Enrollee is required to restore and stabilize the area following disturbance.

X. Central Valley Regional Water Quality Control Board Contact:

If you have any questions regarding this Notice of Applicability, please contact Daniel Warner at (530) 224-4848 or Daniel.Warner@waterboards.ca.gov

Original Signed by Clint Snyder
 (for) Patrick Pulupa, Executive Officer
 Central Valley Regional Water Quality Control Board

11/29/2022
 Date

Enclosure: State Water Resources Control Board's Clean Water Act Section 401 General Water Quality Certification of Army Corps of Engineers' 2021 Nationwide Permits (Order No. WQ 2021-0048-DWQ)

Attachments: Attachment A - Project Maps
 Attachment B - Receiving Water, Impact, and Mitigation Information
 Attachment C - CEQA

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Figure 1. Project Location Map

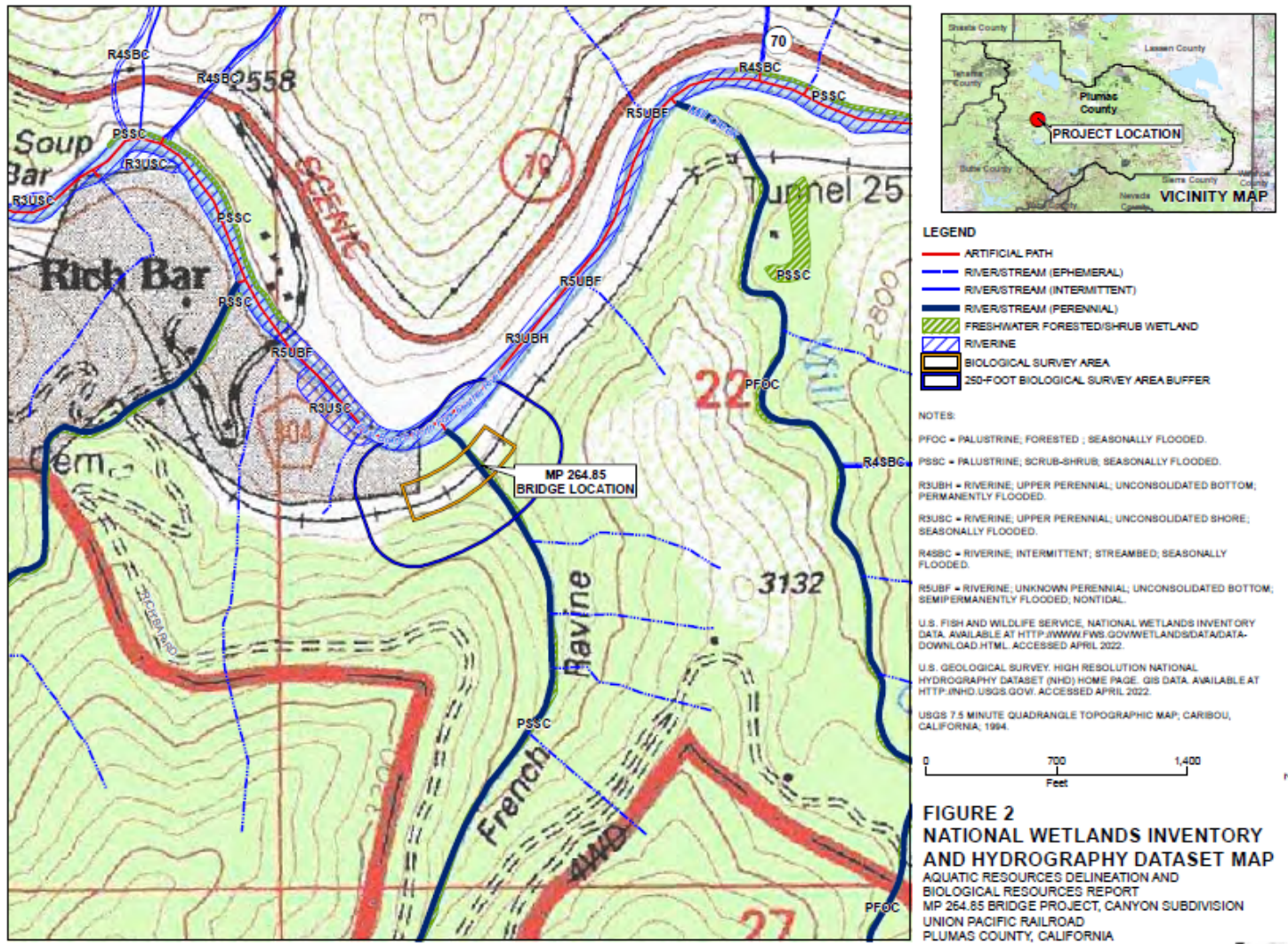
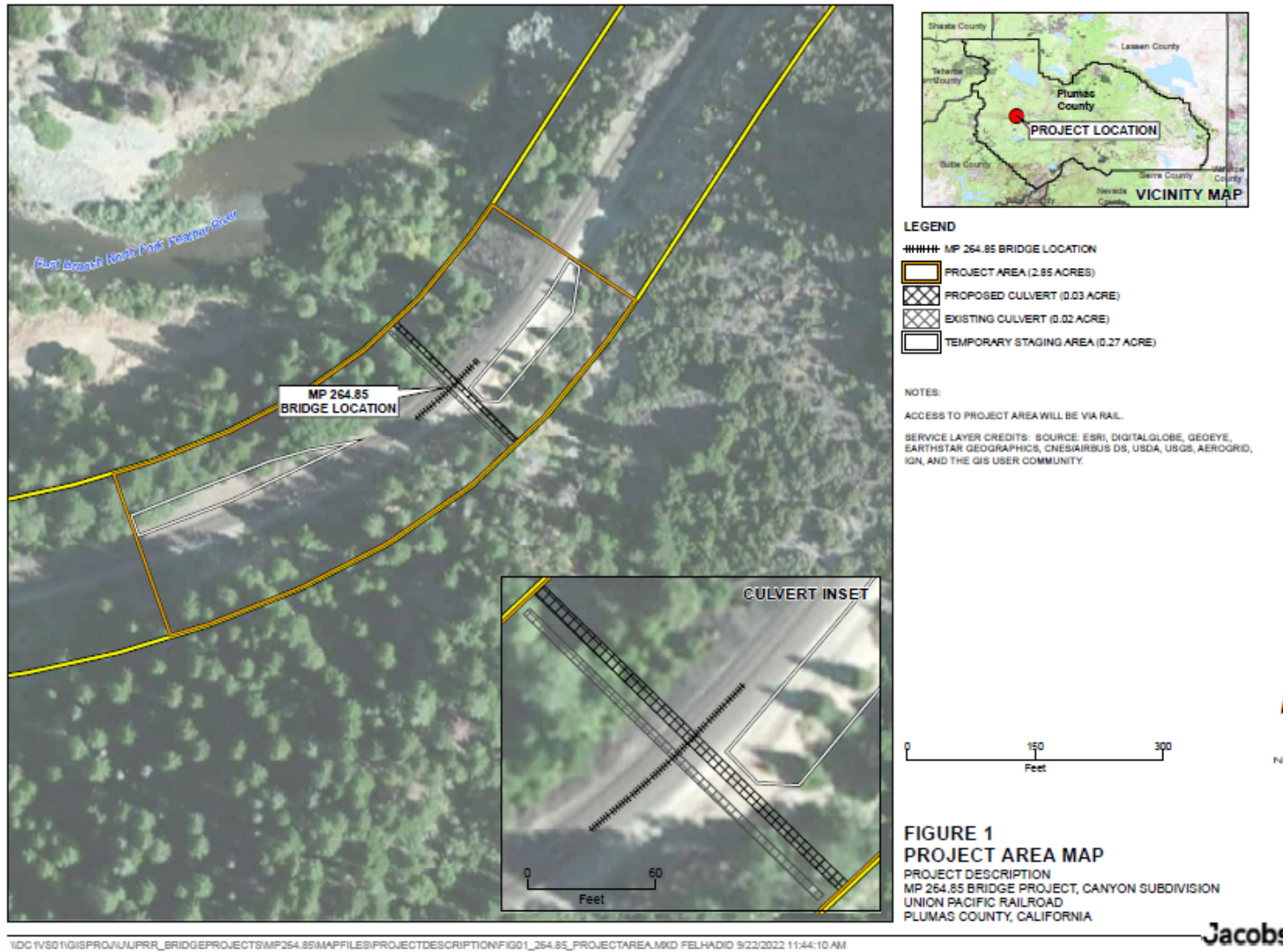


FIGURE 2
NATIONAL WETLANDS INVENTORY
AND HYDROGRAPHY DATASET MAP
AQUATIC RESOURCES DELINEATION AND
BIOLOGICAL RESOURCES REPORT
MP 264.85 BRIDGE PROJECT, CANYON SUBDIVISION
UNION PACIFIC RAILROAD
PLUMAS COUNTY, CALIFORNIA



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Figure 2. Project Impacts Map



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Receiving Waters, Impacts and Mitigation Information

The following table shows the receiving waters associated with each impact site.

Table 1: Receiving Waters Information

Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	California Rapid Assessment Method (CRAM) ID
Canyon Subdivision, Milepost 264.85 Bridge Replacement Project	North Fork, Feather River	Stream	518.51	North Fork, Feather River	MUN, POW, REC-1, REC-2, COLD, SPWN, WILD	Mercury, PCBs, Toxicity, Temperature	Not Applicable

Individual Direct Impact Locations

The following tables show individual impacts.

Table 2: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Canyon Subdivision, Milepost 264.85 Bridge Replacement Project	40.0120°	-121.1835°	No	0.002	4.8	8

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FINDINGS FOR CEQA EXEMPT PROJECT

The Central Valley Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061.

Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section 15302. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Additionally, the Central Valley Water Board concludes that no California Code of Regulations, title 14, section exceptions to the CEQA exemption apply to the activities approved by this Order.

The Central Valley Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days from the issuance of this Order. (California Code of Regulations, title 14, section 15062.)

DISTRIBUTION LIST

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