



Central Valley Regional Water Quality Control Board

22 September 2026

Stephen Cheney
Union Pacific Railroad Company
1400 Douglas Street, Stop 0910
Omaha, NE 68179

NOTICE OF APPLICABILITY; GENERAL WASTE DISCHARGE REQUIREMENTS AND SECTION 401 WATER QUALITY CERTIFICATION OF THE U.S. ARMY CORPS OF ENGINEERS' 2026 NATIONWIDE PERMITS, UNION PACIFIC RAILROAD COMPANY, UPRR VALLEY SUBDIVISION MP 239.83 BRIDGE REPAIR PROJECT (WDID# 5A52CR00258), TEHAMA COUNTY

On 3 August 2026, Union Pacific Railroad Company (Applicant) filed a Notice of Intent (NOI) requesting coverage under State Water Resources Control Board's General Waste Discharge Requirements and Partial Clean Water Act Section 401 Water Quality Certification of the U.S. Army Corps of Engineers' 2026 Nationwide Permits, Order No. WQ 2025-0066-DWQ, (General Order) for the UPRR Valley Subdivision MP 239.83 Bridge Repair Project (Project). The applicable Nationwide Permit (NWP) is NWP 3(a), Maintenance. 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 Project qualifies for enrollment under this General Order.

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 may 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_2026) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2026)

The Project must proceed in accordance with the requirements contained in this NOA and the General Order. 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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

I. PUBLIC NOTICE

The Central Valley Water Board provided public notice of the NOI from 7 August 2026 to 28 August 2026. The Central Valley Water Board did not receive any comments during the comment period.

II. PROJECT DESCRIPTION

The proposed project will repair pier #6 of the existing bridge at Milepost 239.83 on the Valley Subdivision. Before construction activities, best management practices (BMPs) will be installed as needed to avoid downgradient impacts to water quality. Staging and temporary work areas will be cleared and graded for equipment access and mobility. Construction materials will be transported to the project site by truck. Any materials removed from the existing structure will be hauled offsite.

Existing vegetation that does not present a safety concern relative to train operations will be carefully hand-trimmed to ground level to allow immediate re-establishment.

An excavator equipped with a vibratory sheet driver will install steel sheet-pile forms a minimum of 6 inches from the perimeter of the existing 8-foot-by-22-foot pier to a minimum depth of 10 feet below the scour line, containing a 9-foot-by-23-foot area. If any standing water remains in depressions adjacent to the pier, a pump will dewater the area contained by the sheet pile, and the contained area will be excavated to create a void. Controlled low-strength material (CLSM) will be pumped into the scour hole in 3-foot-deep layers and allowed to cure before the next layer is poured. CLSM poured between the existing pier and the sheet-pile form will result in 0.0007 acre of new fill. When poured to a depth of 10 feet below the scour line, a volume of approximately 11.5 cubic yards of CLSM will be required.

Additionally, two existing abandoned piers and associated sheet-pile cofferdams from a previous bridge, each approximately 12-feet by 24-feet, will be removed from the Cottonwood Creek channel. The structures will be cut 3 feet below the ground line. One of the two abandoned pier structures is below the ordinary high water mark of Cottonwood Creek, and its removal will result in 0.018 acre and 32 cubic yards of temporary impacts. With the staging and work area for the Project, the combined total of temporary impacts will be 0.097 acre (Table 1).

Following construction activities, debris will be removed, temporary work and staging areas will be restored to pre-project contours as necessary, and BMPs will be removed.

III. PROJECT LOCATION

Address: The Project is located approximately 0.41 mile southwest of the intersection of Main Street and Front Street in Cottonwood.

County: Tehama

Section 11, Township 29 North, Range 04 West, MDB&M

Latitude: 40.37666° and Longitude: -122.28630°

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, February 2019 (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

Total Project fill/excavation quantities for all impacts are summarized in Tables 1 and 2. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition.

Table 1: Total Project Fill/Excavation Quantity for Temporary Impacts¹

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.097	32	

Table 2: Total Project Fill/Excavation Quantity for Permanent Physical Loss of Area Impacts

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.0007	11.5	23

¹ Includes only temporary direct impacts to waters of the state and does not include area of temporary disturbance which could result in a discharge to waters of the state. Temporary impacts, by definition, are restored to pre-project conditions and therefore do not include a physical loss of area or degradation of ecological condition.

VI. PROJECT SCHEDULE

The anticipated construction schedule is 15 September 2026 through 31 October 2026.

VII. COMPENSATORY MITIGATION

No compensatory mitigation was required for the permanent impacts due to the scope and nature of the impacts and waterbody affected. To the extent feasible, the Enrollee is required to restore and stabilize the area following disturbance.

VIII. 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 NOA and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section 15301, Existing Facilities, which consists of 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 existing or former use.

IX. 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.

X. WATER QUALITY MONITORING

1. General:

If surface water is present continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete). Sampling is not required in a wetland where the entire wetland is being permanently filled, provided there is no outflow connecting the wetland to surface waters. The Enrollee shall perform surface water sampling:

- a. when performing any in-water work;
- b. during the entire duration of temporary surface water diversions;
- c. in the event that the Project activities result in any materials reaching surface waters; or
- d. when any activities result in the creation of a visible plume in surface waters.

2. Accidental Discharges/Noncompliance:

Upon occurrence of an accidental discharge of hazardous materials or a

violation of compliance with a water quality standard, Central Valley Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

3. In-Water Work or Diversions:

During planned in-water work, dewatering activities, or during the installation of removal of temporary water diversions, any discharge(s) to waters of the state shall conform to the following water quality standards:

- a.** Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
- b.** Activities shall not cause pH to be depressed below 6.5 nor raised above 8.5 in surface water.
- c.** Activities shall not cause turbidity increases in surface water to exceed:
 - i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
 - ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
 - iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
 - v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior permission of the Central Valley Water Board Executive Officer.

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 3 sampling parameters.² The sampling requirements in Table 3 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area.

The sampling frequency and/or monitoring locations may be modified for certain projects with written approval from Central Valley Water Board staff. An In-Water Work and Diversion Water Quality Monitoring Report shall be submitted within ten (10) days following the completion of in-water work. In reporting the data, the Enrollee shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the Project complies with NOA requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria above.

If no sampling is required, the Enrollee shall submit a written statement stating, "No sampling was required."

Table 3: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
pH	Standard Units	Grab	Every 4 hours
Turbidity	NTU	Grab	Every 4 hours
Visible construction related pollutants ³	Observations	Visual Inspections	Continuous throughout the construction period

² Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

³ Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

XI. FEES RECEIVED:

- A. An application fee of \$4,212.00 was received on 30 July 2026. 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.
- B. **Annual Fees:** This NOA is subject to annual billing based on the fee schedule in effect at the time of billing. Annual billing will continue until the Project, including monitoring, is complete and the Central Valley Water Board receives an acceptable request for a Notice of Project Complete Letter. Annual invoices for fill and excavation projects are issued for projects active for any amount of time in the current fiscal year (July 1 – June 30). Annual invoices for dredging projects are based on the quantity of dredged material in the previous fiscal year. Invoices are usually sent out at the end of each calendar year.

To stop annual billing, the Enrollee must request a Notice of Project Complete Letter from the Water Board. Central Valley Water Board staff will verify if the conditions of the NOA are met and may conduct a site visit to confirm compliance.

For more information on fees, visit the State Water Board's [Water Quality Fees Web page](https://www.waterboards.ca.gov/resources/fees/water_quality/) (https://www.waterboards.ca.gov/resources/fees/water_quality/), under Water Quality Certification (WQC) Program Fees.

XII. CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT

If you have any questions regarding this NOA, please contact Carson Blodow by phone at (530) 224-4994 or by email at Carson.Blodow@waterboards.ca.gov.

Original Signed by Clint E. Snyder, AEO

For Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality Control Board

9/22/2026

Date

CB: db

Enclosure: State Water Resources Control Board's General Waste Discharge Requirements and Partial Clean Water Act Section 401 Water Quality Certification of the U.S. Army Corps of Engineers' 2026 Nationwide Permits, Order No. WQ 2025-0066-DWQ

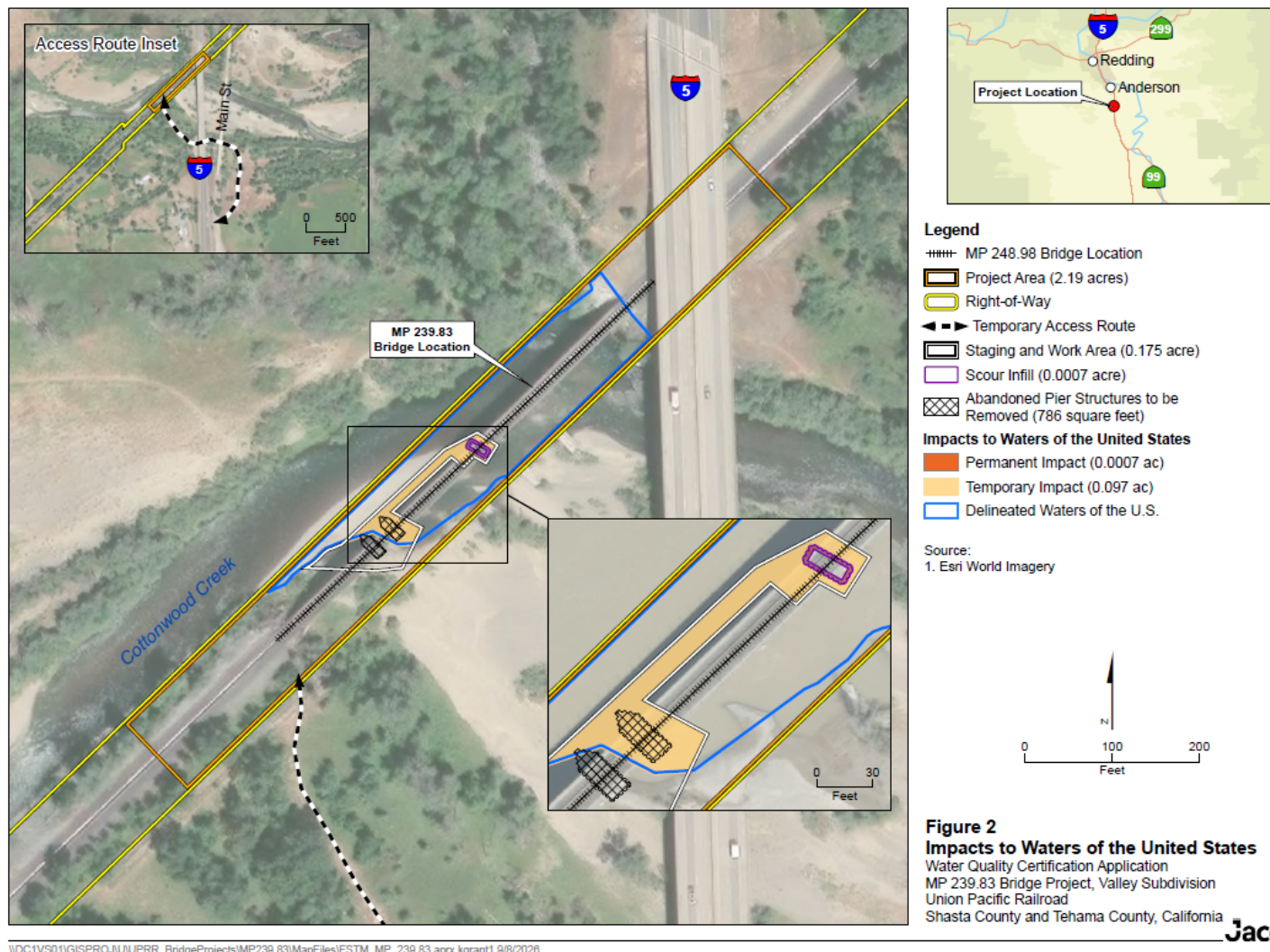
Attachments: Attachment A - Project Maps
Attachment B - Receiving Water, Impact, and Mitigation Information
Attachment C - CEQA

cc via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Samuel Bohannon, U.S. Army Corps of Engineers, Sacramento District
Steven Lamb, Central Valley Flood Protection Board, Sacramento
Michael Clary, Jacobs, Sacramento

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PROJECT MAPS

Figure 1. Project Impacts Map and Location 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
UPRR Valley Subdivision MP 239.83 Bridge Repair Project	Cottonwood Creek	Stream Channel	524.3	Cottonwood Creek	MUN, AGR, PROC, IND, POW, REC-1, REC-2, WARM, COLD, MIGR, SPWN, WILD	Not Applicable	Not Applicable

Individual Direct Impact Locations

The following tables show individual impacts.

Table 2: Individual Temporary Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Abandoned Pier Structure Removal	40.37666	-122.28630	No	0.018	32	
Staging and Work Area	40.37666	-122.28630	No	0.079		

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Scour Infill	40.37666	-122.28630	No	0.0007	11.5	23

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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 NOA and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section 15301, Existing Facilities, which consists of 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 existing or former use.

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 NOA.

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 NOA. (California Code of Regulations., title 14, section 15062.)