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## Central Valley Regional Water Quality Control Board

24 January 2023

Steve Cheney  
Union Pacific Railroad  
1400 Douglas Street, Stop 0910  
Omaha, NE Zip 68179

### **NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE UNION PACIFIC RAILROAD, UNION PACIFIC RAILROAD VALLEY SUBDIVISION MP 143.12 BRIDGE PIER REPLACEMENT PROJECT (WDID#5A58CR00197), YUBA COUNTY**

On 15 December 2023, Union Pacific Railroad (Applicant) filed a notification requesting coverage under the 1 August 2023 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of the United States Army Corps of Engineers (USACE) Regional General Permit 8 (DQ 2023-0061-DWQ) (General Certification Order) for the Union Pacific Railroad Valley Subdivision MP 143.12 Bridge Pier Replacement (Project). After review of the notification and the supplemental material 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 Certification Order. The proposed activity is taking place in approximately 0.502 acre/162 linear feet of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Regional General Permit 8, Emergency Repair and Protection Activities, subject to the conditions and the notification requirements described in the Nationwide Permit ("Special Conditions"). This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2023/rgp-8-certification-mainbody.pdf) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/2023/rgp-8-certification-mainbody.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2023/rgp-8-certification-mainbody.pdf)) can be found on the State Water Resources Control Board's General Orders webpage and is enclosed.

The Project is being conducted in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the notification form requesting coverage under the General Certification Order, dated 15 December 2023, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

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

**PROJECT DESCRIPTION:**

The 3.63-acre Union Pacific Railroad Valley Subdivision MP 143.12 Bridge Pier Replacement (Project) consists of an emergency replacement of the B1 pier for the Valley Subdivision Milepost (MP) 143.12 bridge in the Feather River. The Valley Subdivision Milepost (MP) 143.12 bridge is a critical rail line for interstate commerce. An inspection of the B1 pier revealed deterioration that required immediate replacement to avoid degradation and impairment of the safety of the bridge. The project activities include the creation of a staging area, construction of a temporary work platform, construction and placement of a new bridge pier, as well as the subsequent removal of the existing pier once the load is transferred. The temporary work platform and staging area construction requires the placement of 3,900 cubic yards of clean rock fill in 0.5 acre of waters of the U.S., below the ordinary high-water mark of the Feather River. All temporary fill will be underlain by geotextile fabric to be removed once the project has been completed. The replacement pier includes four drilled shafts with concrete caps perpendicular to the track, and two steel caps to be placed on top of the concrete caps that will be parallel to the track. The Project permanently impacts 0.002 acre/12 linear feet and temporarily impacts 0.5 acre/150 linear feet of waters of the United States.

**ADDITIONAL CONDITIONS:**

1. The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.
2. 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 Permittee 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.
3. Activities shall not cause temperature in surface waters to increase more than 5°F above natural receiving water temperature for waters with designated COLD or WARM beneficial uses.

4. Activities shall not cause pH to be depressed below 6.5 nor raised above 8.5 in surface water.

The Project is in Marysville near Laurellen Road, Yuba County.

Township 15 North, Range 03 East, MDB&M

Latitude: 39°9'49.0392" N and Longitude: 121°36'43.92" W

**PROJECT SCHEDULE:**

The Project started construction on 17 January 2024 and will continue through April 2024.

**APPLICATION FEE RECEIVED:**

An application fee of \$2,985.00 was received on 27 December 2023.

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 F- Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Olivia Ilsley at +1 916-464-4673 or [olivia.ilsley@waterboards.ca.gov](mailto:olivia.ilsley@waterboards.ca.gov).

*Original Signed by Anne Walters for:*

Patrick Pulupa  
Executive Officer

Enclosure: Water Quality Order No. 2023-0061-DWQ Clean Water Act Section 401  
Water Quality Certification for Regional General Permit 8 for Emergency  
Repair and Protection Activities

Attachments: Figure 1: Project Location Map  
Figure 2: Project Plan (Section 1)  
Figure 3: Project Plan (Section 2)  
Figure 4: Project Plan (Section 3)

cc: Distribution List, page 5

**DISTRIBUTION LIST**  
**[Via email only]**

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Figure 1: Project Location Map

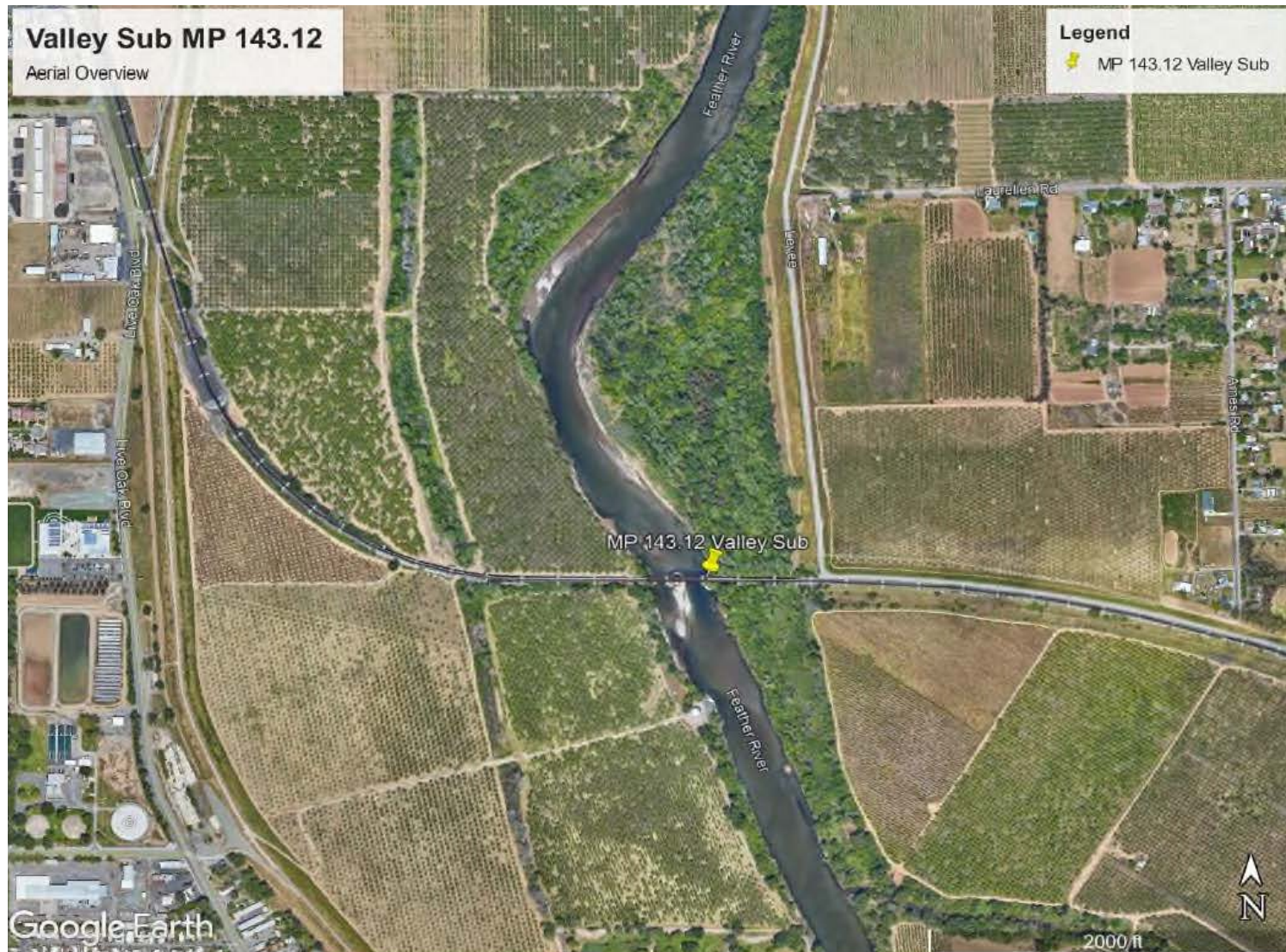




Figure 2: Project Plan (Section 1)

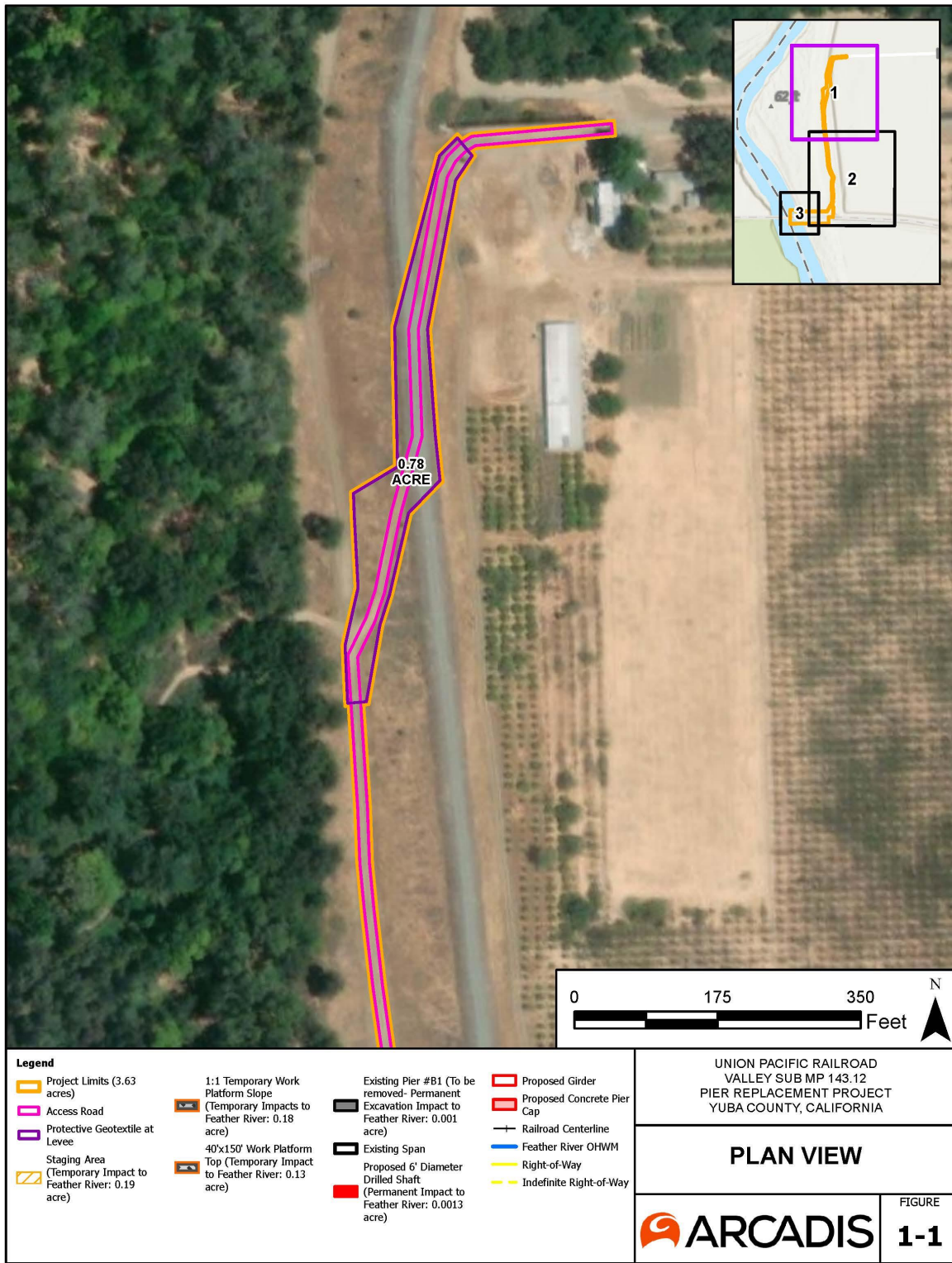


Figure 3: Project Plan (Section 2)

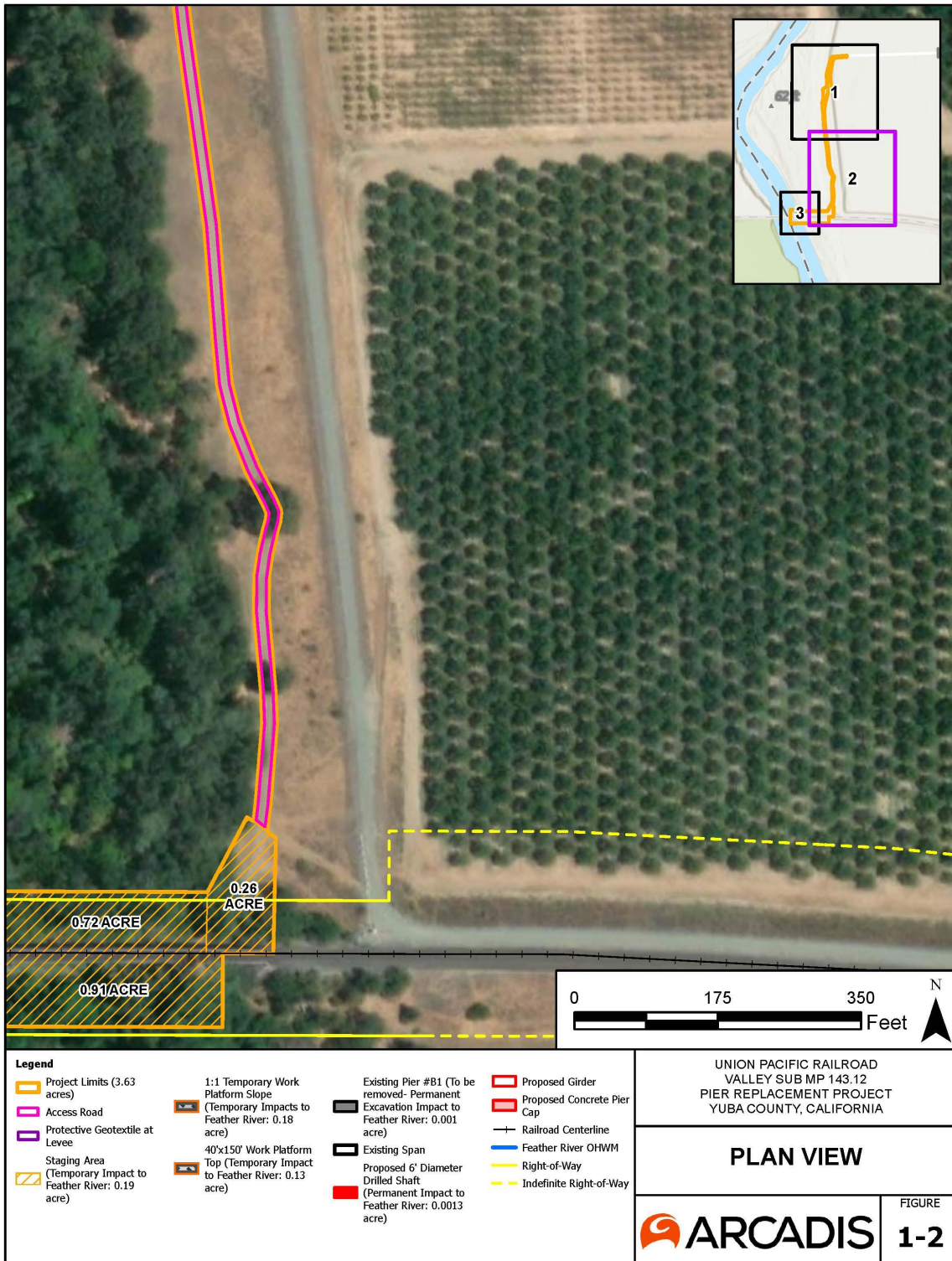




Figure 4: Project Plan (Section 3)

