



Central Valley Regional Water Quality Control Board

9 March 2023

Steve Cheney
Union Pacific Railroad Company
1400 Douglas St, Stop 0910
Omaha, CA 68179

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE UNION PACIFIC RAILROAD COMPANY, UNION PACIFIC RAILROAD FRESNO SUBDIVISION MP 104.18 EMERGENCY REPAIR – RGP 8 PROJECT (WDID#5B39CR00380), SAN JOAQUIN COUNTY

On 3 March 2023, Union Pacific Railroad Company (Applicant) filed a notification requesting coverage under the 9 October 2018 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 (General Certification Order) for the Union Pacific Railroad Fresno Subdivision MP 104.18 Emergency Repair – RGP 8 (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 within approximately 0.006 acre/40 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/generalorders/order_rgp8.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/generalorders/order_rgp8.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 3 March 2023, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

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

PROJECT DESCRIPTION:

The Project consists of repairing the bearing cap on pier B3 of the Fresno Subdivision Milepost (MP) 104.18 Bridge which is located over the Stanislaus River. Regular inspection has identified the need for immediate repair of the bearing cap, which is located at the top of the pier. Without immediate repair, this bearing cap could further degrade and impair the safety of the bridge structure.

Construction activities may include hydro-blasting the bearing cap, drilling pins in the existing pier, and placing concrete on the top of pier or shot-creting. A temporary work platform is necessary for access to make repairs. To construct the work platform, two 42-inch steel pipes are proposed to be placed on the south (river) side of the pier. Beams will then be placed on the pipes to create the work platform. Some portion of the steel H-pile connecting to temporary work platform to the culverts may also be in water depending on water level.

Best management practices will be implemented to contain hydro-blasting water and concrete to prevent entry to the Stanislaus River. The temporary work platform is anticipated to be in place for approximately 90 days.

The Project will temporarily impact 0.006 acre/40 linear feet of waters of the United States.

PROJECT LOCATION:

The Project is located at the Fresno Subdivision Mile Post 404.19, off Highway 99, south of Ripon.

Latitude: 37.730151° and Longitude: -121.11038°

PROJECT SCHEDULE:

The Project started construction on 6 March 2023 and will continue until 19 May 2023.

APPLICATION FEE RECEIVED:

An application fee of \$2,734.00 was received on 8 March 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 Shawn Agarwal at (916) 464-4849 or Shawn.Agarwal@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Enclosure: Water Quality Order No. 2018-0025-EXEC Clean Water Act Section 401
Water Quality Certification and Order

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