# California Regional Water Quality Control Board
## Colorado River Basin Region

Matthew Rodriquez
*Secretary for*
*vironmental Protection*

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Edmund G. Brown Jr.
*Governor*


March 6, 2012

Ms. Debra Schafer
Union Pacific Railroad
1400 Douglas Street, Stop 0910
Omaha, NE 68179

**RE: ORDER FOR TECHNICALLY-CONDITIONED CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS**

**PROJECT:** This federal Clean Water Act Section 401 Water Quality Certification (WQC) (33 U.S.C. § 1341) is written for the Union Pacific Railroad (UPRR) Improvement Projects - Yuma Subdivision for the following Mileposts locations:

659.42 (WDID No. 7A133110001)
659.54 (WDID No. 7A133105001)
659.92 (WDID No. 7A133119001)
660.08 (WDID No. 7A133106001)
660.44 (WDID No. 7A133102001)
660.68 (WDID No. 7A133118001)
661.16 (WDID No. 7A133115001)
661.29 (WDID No. 7A133117001)
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662.50 (WDID No. 7A133114001)
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664.27 (WDID No. 7A133104001)
664.37 (WDID No. 7A133111001)
668.05 (WDID No. 7A133121001)
669.75 (WDID No. 7A133122001)
670.90 (WDID No. 7A133109001)
671.07 (WDID No. 7A133108001)
673.75 (WDID No. 7A133107001)
675.06 (WDID No. 7A133123001)

**APPLICANT:** Union Pacific Railroad

**ACTION:** 1. ☐ Order for Standard Certification

2. ☒ Order for Technically-Conditioned Certification

3. ☐ Order for Denial of Certification

**STANDARD CONDITIONS:**

The following standard conditions apply to all certification actions, except as noted above under Action 3 for denials.

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).

2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR section 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. The validity of any non-denial certification action (Actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

4. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under State law. For purposes of Clean Water Act (CWA) section 401(d), the applicability of any State law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Water Quality Certification (WQC).

a. In response to a suspected violation of any condition of this WQC, the Regional Water Quality Control Board (Regional Water Board) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

b. In response to any violation of the conditions of this WQC, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

**ADDITIONAL CONDITIONS:**

The following additional conditions apply to this certification:

1. This WQC applies towards the proposed projects (Project) as described in the 401 applications received by the Regional Water Board on December 22, 2011.

   The Applicant shall provide the Regional Water Board and other interested agencies with written notification of any significant modifications made to the Project prior to implementation of the modifications.

2. This WQC does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

3. This WQC does not authorize the Applicant or any associated party to trespass on any land or property unless the applicant has obtained written authorization or acquired a special use authorization permit from the land or property owner.

4. A copy of this WQC shall be provided to the appropriate onsite Supervisor for the Project. All personnel performing work on the proposed Project shall be familiar with the content of this WQC. Copies of the WQC shall be readily available at the Project site at all times during periods of active work and shall be presented to regulatory agency representatives upon request.

5. The Applicant shall grant Regional Water Board staff, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to enter the Project site at reasonable times, to ensure compliance with the terms and conditions of this WQC and/or to determine the impacts the Project may have on waters of the United States.

6. The proposed Project shall not be enlarged or extend beyond the proposed Project impact area. The Applicant shall delineate the Project boundaries and staging areas with stakes, flags and/or temporary construction fencing.

7. The area of vegetation and soil disturbance shall be restricted to the smallest extent possible.

8. The Project shall not discharge substances in concentrations toxic to human, plant, animal, or aquatic life or that produce detrimental physiological responses.

9. The Project shall not discharge waste classified as "hazardous" as defined in Title 23 California Code of Regulations (CCR) section 2521, California Health and Safety Code section 25140, and Title 22, CCR, section 66260.10 et seq.

10. No oil, petroleum products, or rubbish shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the United States.

11. No equipment maintenance will be done within or near any stream channel where petroleum products or other pollutants from the equipment may enter waters of the United States.

12. Equipment refueling shall not occur within waters of the United States.

13. Any oil or grease leaks shall be immediately cleaned up.

14. The Applicant shall ensure that all contaminated material and/or contaminated soil removed or excavated from the Project site is properly loaded, transported, and disposed of in accordance with Federal, State, and local regulations.

15. Staging/storage areas for equipment and materials shall be located outside of waters of the United States.

16. The Applicant shall ensure that all disturbed and filled areas are adequately stabilized and protected from erosion and siltation by implementing appropriate soil stabilization, sedimentation and silt control measures.

17. Any flow diversion used during construction shall be designed in a manner to prevent pollution, minimize siltation, and shall provide flows to downstream reaches. Flows shall be maintained to support existing aquatic life and riparian wetlands and habitat that may be located upstream and downstream from any temporary diversion.

18. The Applicant shall restore drainages, to the greatest extent possible, to the original bank configuration, stream bottom width, and channel gradient.

19. All temporary facilities and impacts shall be removed and restored to the preexisting conditions and contours to the extent practicable.

20. Construction related materials and wastes shall be removed from the Project site upon completion of the Project.

21. The Applicant shall submit Notice to the Regional Water Board within 60-days of completion of the Project. The Notice shall include: 1) a detailed summary of the mitigation and restoration activities implemented during the Project and 2) provide photographic documentation that supports the information summarized in the Notice.

22. The Regional Water Board reserves the right to suspend, cancel, or modify and reissue this WQC, after providing notice to the Applicant and/or responsible Site-Supervisor, if the Regional Water Board determines that the Project fails to comply with any of the terms or conditions of this WQC.

23. The Applicant shall orally notify the Regional Water Board of any noncompliance that may impact the beneficial uses of waters of the United States, as soon as notification is possible and notification can be provided without substantially impeding measures necessary to address the noncompliance.

**REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

If you have any questions, please contact Jay Mirpour, Water Resources Control Engineer, at (760) 776-8981 or jmirpour@waterboards.ca.gov.

**WATER QUALITY CERTIFICATION:**

I hereby issue an order certifying that any discharge from the referenced Project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicants' Project description and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the Regional Water Quality Control Board's Water Quality Control Plan (Basin Plan).

Robert A. Perdue

ROBERT PERDUE, Executive Officer
Colorado River Basin Regional Water Quality Control Board

JJM/

cc: William Miller, U.S. Army Corps of Engineers, Arizona Branch, Regulatory Division
Bill Orme, SWRCB, Division of Water Quality, Water Quality Certification Unit
Elizabeth Goldmann, U.S. Environmental Protection Agency, Region 9
Thomas A. Vandenberg, Office of Chief Counsel, SWRCB

File: Union Pacific Railroad Improvement Project on the Yuma Subdivision Project for
659.42 (WDID No. 7A133110001)
659.54 (WDID No. 7A133105001)
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**Mailing List:**

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Note: (*) will e-mail electronic copy

## PROJECT INFORMATION

**Application Date:** Applications were received on December 22, 2011.

**Applicant:** Union Pacific Railroad
Contact: Debra Schafer, (402) 544-2358

**Applicant Representative:** CH2M HILL
Christine Roberts, (916) 798-3137

**Project Name:** Union Pacific Railroad Improvement Projects on the Yuma Subdivision for following Milepost locations:
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675.06 (WDID No. 7A133123001)

**Project Start and Completion:** Construction will occur between March 1, 2012 and October 1, 2012.

**Project Description (purpose/goal):**

### Milepost 659.42 Improvement Project

UPRR plans to plug and fill two existing culverts and install four new culverts near the town of Wister in Imperial County, California. The replacement culverts have been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year

and 100-year flood events, and will accommodate the existing mainline track and a future second track. UPRR will plug and fill two existing culverts and install four new culverts at the channel at MP 659.42. The replacement culverts will be 60 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culverts will be made up of SSP. The culverts will be jack and bored under the existing track embankment and the channel will be slightly realigned to allow flow through the culverts. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°19'19"N/ 115°36'29"W
Township/Range: T 10 S/ R 13 E/Section 03

**Fill/Excavation Area (acres):**
Approximately 25.73 cubic yards of clean structural fill and four 60 inch SSPs will be placed in in waters of U.S.

In addition, 0.055 acre (362.28 linear feet) permanent and 0.0 acre (0.0 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 659.54 Improvement Project**

UPRR plans to install a new bridge near the town of Wister in Imperial County, California. The bridge has been sized to meet or exceed the current structure's capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second mainline track.

UPRR will install a three-span bridge at MP 659.54. The new bridge will be 60 feet long and span the width of the existing channel to accommodate future storm events and uphold a future second mainline track. The bridge will be made of prestressed concrete slabs (PCS). Riprap will be placed upstream and downstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°19'14"N/ 115°36'25"W
Township/Range: T 10 S/ R 13 E/Section 10

**Fill/Excavation Area (acres):**
Approximately 77.73 cubic yards of clean structural fill material will be placed in waters of U.S.

In addition, 0.073 acre (93.95 linear feet) permanent and 0.125 acre (159.49 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 659.92 Improvement Project**

UPRR plans to install a new bridge near the town of Wister in Imperial County, California. The bridge has been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second mainline track.

UPRR will install a new three-span bridge at MP 659.92. The new bridge will be 60 feet long and span the width of the existing channel to accommodate future storm events and uphold a future second mainline track. The bridge will be made of PCS. Riprap will be placed upstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'58"N/ 115°36'12"W
Township/Range: T 10 S/ R 13 E/Section 10

**Fill/Excavation Area (acres):**
Approximately 50.47 cubic yards of clean structural fill material will be placed in waters of U.S.

In addition, 0.034 acre (138.82 linear feet) permanent and 0.119 acre (299.54 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 660.08 Improvement Project**

UPRR plans to extend one culvert near the town of Wister in Imperial County, California. The extended culvert has been sized to meet the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second mainline track.

UPRR will extend the existing culvert within the channel at MP 660.08. The extension culvert will be 36 inches in diameter to accommodate future storm events and uphold the existing mainline and future second mainline track. The culvert will be a reinforced concrete pipe (RCP). The culvert will fill the width of the existing drainage channel under the mainline and second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'51"N/ 115°36'06"W
Township/Range: T 10 S/ R 13 E/Section 10

**Fill/Excavation Area (acres):**
Approximately 159.72 cubic yards of clean structural fill material and one 36 inch RCP will be placed in waters of U.S.

In addition, 0.036 acre (137.02 linear feet) permanent and <0.001 acre (3.58 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 660.44 Improvement Project**

UPRR plans to replace an existing siding bridge and install a new bridge near the town of Wister in Imperial County, California. The new bridge has been sized to meet or exceed the current structure's capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second mainline track.

UPRR will replace an existing siding timber stringer trestle bridge and install a new four-span bridge at MP 660.44. The new bridge will be 80 feet in length to accommodate future storm events and uphold a future second mainline track. The bridge will be made of PCS. Riprap will be placed upstream and downstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'35"N/ 115°35'54"W
Township/Range: T 10 S/ R 13 E/Section 10

**Fill/Excavation Area (acres):**
Approximately 34.88 cubic yards of clean structural fill material will be placed in waters of U.S.

In addition, 0.047 acre (55.58 linear feet) permanent and 0.252 acre (523.65 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 660.68 Improvement Project**

UPRR plans to extend one culvert near the town of Wister in Imperial County, California. The extended culvert has been sized to meet the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second mainline track.

UPRR will extend the existing culvert within the channel at MP 660.68. The extension culvert will be 36 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culvert will be a RCP. The culvert will fill the width of the existing drainage channel under the mainline and proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'25"N/ 115°35'45"W
Township/Range: T 10 S/ R 13 E/Section 14

**Fill/Excavation Area (acres):**
Approximately 21.83 cubic yards of structural fill material and one 36 inch RCP will be placed in waters of U.S.

In addition, 0.041 acre (175.15 linear feet) permanent and 0.003 acre (21.21 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 661.16 Improvement Project**

UPRR plans to remove a bridge and install a new bridge near the town of Wister in Imperial County, California. The replacement bridge has been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood

events, and will accommodate the existing mainline track and a future second track.

UPRR will remove the existing timber pile trestle bridge and install one PCB bridge at the channel at MP 661.16. The replacement bridge will be 30 feet in length to accommodate future storm events and uphold a future second mainline track. Riprap will be placed upstream and downstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'04"N/ 115°35'28"W
Township/Range: T 10 S/ R 13 E/Section 14

**Fill/Excavation Area (acres):**
Approximately 11.52 cubic yards of structural fill material and two PCBs will be placed in waters of U.S.

In addition, 0.017 acre (96.81 linear feet) permanent and 0.027 acre (154.08 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 661.29 Improvement Project**

UPRR plans to extend one culvert near the town of Wister in Imperial County, California. The extended culvert has been sized to meet the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second track.

UPRR will extend the existing culvert within the channel at MP 661.29. The extension culvert will be 36 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culvert will be a RCP. The culvert will fill the width of the existing drainage channel under the mainline and proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°17'59"N/ 115°35'24"W
Township/Range: T 10 S/ R 13 E/Section 14

**Fill/Excavation Area (acres):**
Approximately 251.68 cubic yards of structural fill material and one 36 inch RCP will be placed in waters of U.S.

In addition, 0.052 acre (191.80 linear feet) permanent and 0 acre (0 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 661.89 Improvement Project**

UPRR plans to extend one culvert near the town of Wister in Imperial County, California. The extended culvert has been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second track.

UPRR will extend the existing culvert within the channel at MP 661.89. The extension culvert will be 36 inches in diameter to accommodate future storm events and uphold a future second mainline track. The culvert will be a RCP. The culvert will fill the width of the existing drainage channel under the proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°17'33"N/ 115°35'03"W
Township/Range: T 10 S/ R 13 E/Section 23

**Fill/Excavation Area (acres):**
Approximately 18.97 cubic yards of structural fill material and one 36 inch RCP will be placed in waters of U.S.

In addition, 0.028 acre (177.64 linear feet) permanent and 0.002 acre (20.17 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 662.16 Improvement Project**

UPRR plans to remove a bridge and install four culverts near the town of Niland in Imperial County, California. The replacement culverts have been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-

year flood events, and will accommodate the existing mainline track and a future second mainline track.

UPRR will remove the existing timber pile trestle bridge and install four culverts at the channel at MP 662.16. The replacement culverts will be 48 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culverts will be made up of SSP. The culverts will be jack and bored under the existing track embankment and the channel will be slightly realigned to allow flow through the culverts. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°17'21"N/ 115°34'53"W
Township/Range: T 10 S/ R 13 E/Section 23

**Fill/Excavation Area (acres):**
Approximately 41.53 cubic yards of structural fill material will be placed in waters of U.S.

In addition, 0.078 acre (216.59 linear feet) permanent and 0.055 acre (453.88 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 662.50 Improvement Project**

UPRR plans to extend one culvert near the town of Niland in Imperial County, California. The extended culvert has been sized to meet the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second mainline track.

UPRR will extend the existing culvert within the channel at MP 662.50. The extension culvert will be 36 inches in diameter to accommodate future storm events and uphold the existing mainline and future second mainline track. The culvert will be a RCP. The culvert will fill the width of the existing drainage channel under the mainline and proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Wister, Imperial County, California

Longitude/ Latitude: 33°17'07"N/ 115°34'42"W
Township/Range: T 10 S/ R 13 E/Section 24

**Fill/Excavation Area (acres):**
Approximately 68.28 cubic yards of structural fill material and one 36 inch RCP will be placed in waters of U.S.

In addition, 0.046 acre (172.22 linear feet) permanent and 0.006 acre (20.13 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 662.96 Improvement Project**

UPRR plans to install a bridge near the town of Wister in Imperial County, California. The bridge has been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second mainline track.

UPRR will install a two-span bridge at MP 662.96. The bridge will be 60 feet long and span the width of the existing channel to accommodate future storm events and uphold a future second mainline track. The bridge will be made of PCB. Riprap will be placed upstream and downstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°16'46"N/ 115°34'25"W
Township/Range: T 10 S/ R 13 E/Section 24

**Fill/Excavation Area (acres):**
Approximately 14.91 cubic yards of structural fill material will be placed in waters of U.S.

In addition, 0.044 acre (76.60 linear feet) permanent and 0.111 acre (315.77 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 663.10 Improvement Project**

UPRR plans to remove a bridge and install three culverts near the town of Niland in Imperial County, California. The replacement culverts have been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-

year flood events, and will accommodate the existing mainline track and a future second track.

UPRR will remove the existing timber pile trestle bridge and install three culverts at the channel at MP 663.10. The replacement culverts will be 72 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culverts will be RCP. The culverts will fill the width of the existing drainage channel under the mainline and proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets. Engineering drawings are attached to this application.

**Project Location:**
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°16'40"N/ 115°34'21"W
Township/Range: T 10 S/ R 13 E/Section 25

**Fill/Excavation Area (acres):**
Approximately 103.11 cubic yards of structural fill material and three inch RCP will be placed in waters of U.S.

In addition, 0.077 acre (204.74 linear feet) permanent and 0 acre (0.0 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 663.70 Improvement Project**

UPRR plans to extend one culvert near the town of Niland in Imperial County, California. The extended culvert has been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second track.

UPRR will extend the existing culvert within the channel at MP 663.70. The extension culvert will be 48 inches in diameter to accommodate future storm events and uphold a future second mainline track. The culvert will be a RCP. The culvert will fill the width of the existing drainage channel under the proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°16'15"N/ 115°34'00"W

Township/Range: T 10 S/ R 13 E/Section 25

**Fill/Excavation Area (acres):**
Approximately 48.79 cubic yards of structural fill material and one 48 inch RCP will be placed in waters of U.S.

In addition, 0.048 acre (105.42 linear feet) permanent and 0.026 acre (43.80 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 664.27 Improvement Project**

UPRR plans to remove a bridge and install three culverts near the town of Niland in Imperial County, California. The replacement culverts have been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate the existing mainline track and a future second mainline track.

UPRR will remove the existing timber pile trestle bridge and install three culverts within the channel at MP 664.27. The replacement culverts will be 48 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culverts will be a corrugated steel pipe (CSP). The culverts will fill the width of the existing drainage channel under the mainline and proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets. Engineering drawings are attached to this application.

**Project Location:**
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°15'52"N/ 115°33'37"W
Township/Range: 33°15'52"N/ 115°33'37"W

**Fill/Excavation Area (acres):**
Approximately 9.23 cubic yards of structural fill material and three 48 inch CSPs will be placed in waters of U.S.

In addition, 0.044 acre (494.37 linear feet) permanent and 0.025 acre (121.04 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 664.37 Improvement Project**

UPRR plans to extend one culvert near the town of Niland in Imperial County, California. The extended culvert has been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second track.

UPRR will extend the existing culvert within the channel at MP 664.37. The extension culvert will be 48 inches in diameter to accommodate future storm events and uphold a future second mainline track. The culvert will be a RCP. The culvert will fill the width of the existing drainage channel under the proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**

City or area: Niland, Imperial County, California

Longitude/ Latitude: 33°15'49"N/ 115°33'32"W

Township/Range: T 10 S/ R 14 E/Section 30

**Fill/Excavation Area (acres):**

Approximately 84.70 cubic yards of structural fill material and one 48 inch RCP will be placed in waters of U.S.

In addition, 0.042 acre (185.15 linear feet) permanent and 0.019 acre (82.73 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 668.05 Improvement Project**

UPRR plans to remove a bridge and install three culverts near the town of Niland in Imperial County, California. The replacement culverts have been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate the existing mainline track and a future second mainline track.

UPRR will remove the existing timber pile trestle bridge and install three culverts within the channel at MP 668.05. The replacement culverts will be 60 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culverts will be a CSP. The culverts will fill the width of the existing drainage channel under the mainline and proposed second mainline within the ordinary high water mark at this crossing. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°14'19"N/ 115°30'09"W
Township/Range: T 11 S/ R 14 E/Section 03

**Fill/Excavation Area (acres):**
Approximately 6.55 cubic yards of structural fill material and three 60 inch CSPs will be placed in waters of U.S.

In addition, 0.014 acre (156.60 linear feet) permanent and 0.011 acre (149.90 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 669.75 Improvement Project**

UPRR plans to remove a bridge and install five culverts near the town of Niland in Imperial County, California. The replacement culverts have been sized to meet or exceed the required conveyance capacity, based on a review of the 50-year and 100-year flood events, and will accommodate the existing mainline track and a future second mainline track.

UPRR will remove the existing railtop ballast deck bridge and install five culverts at the channel at MP 669.75. The replacement culverts will be 48 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culverts will be made up of SSP. The culverts will be jack and bored under the existing track embankment and the channel will be slightly realigned to allow flow through the culverts. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°13'37"N/ 115°28'35"W
Township/Range: T 11 S/ R 14 E/Section 11

**Fill/Excavation Area (acres):**
Approximately 12.79 cubic yards of structural fill material will be placed in waters of U.S.

In addition, 0.061 acre (168.84 linear feet) permanent and 0.081 acre (297.55 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 670.90 Improvement Project**

UPRR plans to install a bridge near the town of Niland in Imperial County, California. The bridge has been sized to meet or exceed the current structure's capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second track.

UPRR will install a new two-span bridge at MP 671.07. The bridge will be 60 feet long and span the width of the existing channel to accommodate future storm events and uphold a future second mainline track. The bridge will be made of PCB. Riprap will be placed upstream and downstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**

City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°13'05"N/ 115°27'23"W
Township/Range: T 11 S/ R 15 E/Section 18

**Fill/Excavation Area (acres):**

Approximately 36.30 cubic yards of structural fill material and one 24 inch RCP will be placed in waters of U.S.

In addition, 0.015 acre (86.28 linear feet) permanent and 0.0 acre (0.0 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 671.07 Improvement Project**

UPRR plans to install a bridge near the town of Niland in Imperial County, California. The bridge has been sized to meet or exceed the current structure's capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second track.

UPRR will install a new two-span bridge at MP 671.07. The bridge will be 60 feet long and span the width of the existing channel to accommodate future storm events and uphold a future second mainline track. The bridge will be made of PCB. Riprap will be placed upstream and downstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**

City or area: Niland, Imperial County, California

Longitude/ Latitude: 33°13'05"N/ 115°27'23"W
Township/Range: T 11 S/ R 15 E/Section 18

**Fill/Excavation Area (acres):**
Approximately 5.08 cubic yards of structural fill material will be placed in waters of U.S.

In addition, 0.015 acre (108.66 linear feet) permanent and 0.002 acre (146.97 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 673.75 Improvement Project**

UPRR plans to install a new bridge near the town of Niland in Imperial County, California. The proposed bridge has been sized to meet or exceed the current structure's capacity, based on a review of the 50-year and 100-year flood events, and will accommodate a future second track.

UPRR will install a new six-span bridge at MP 673.75. The new bridge will be 204 feet in length to accommodate future storm events and uphold a future second mainline track. The bridge will be made up of PCB. Riprap will be placed upstream and downstream of the new bridge. Engineering drawings are attached to this application.

**Project Location:**
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°12'00"N/ 115°24'55"W
Township/Range: T 11 S/ R 15 E/Section 21

**Fill/Excavation Area (acres):**
Approximately 40.17 cubic yards of structural fill material will be placed in waters of U.S.

In addition, 0.030 acre (113.41 linear feet) permanent and 0.028 acre (169.15 linear feet) temporary of waters of the United States will be impacted during this activity.

**Milepost 675.06 Improvement Project**

UPRR plans to remove a bridge and install five culverts near the town of Niland in Imperial County, California. The replacement culverts have been sized to meet or exceed the current structure's capacity, based on a review of the 50-year and 100-year flood

events, and will accommodate the existing mainline track and a future second mainline track.

UPRR will remove the existing timber pile trestle bridge and install five culverts at the channel at MP 675.06. The replacement culverts will be 84 inches in diameter to accommodate future storm events and uphold the existing mainline and a future second mainline track. The culverts will be a CSP. The culverts will fill the width of the existing drainage channel under the mainline and proposed second mainline within the ordinary high water mark at this crossing and a portion of the channel will be slightly realigned. Riprap will be placed at the culvert inlets and outlets.

**Project Location:**

City or area: Niland, Imperial County, California

Longitude/ Latitude: 33°11'28"N/ 115°23'43"W

Township/Range: T 11 S/ R 15 E/Section 22

**Fill/Excavation Area (acres):**

Approximately 19.72 cubic yards of structural fill material and five 84 inch CSPs will be placed in waters of U.S.

In addition, 0.094 acre (156.20 linear feet) permanent and 0.131 acre (450.96 linear feet) temporary of waters of the United States will be impacted during this activity.

**Receiving Water(s):** Ephemeral, unnamed drainage, tributary to the Salton Sea.

**Dredge Volume (cy):** N/A

**Best Management Practices:**

- No toxic and/or hazardous materials shall be stored near or within wash/drainage areas. To extent possible, these materials will be offsite and/or placed in appropriate secondary containment.

- Work and staging areas and temporary access routes will be sized, located and flagged so as to limit potential impacts to natural areas. Previous disturbed areas will be used to the extent feasible.

- No fueling or maintenance of equipment and/or vehicles shall occur adjacent or within the wash/drainage areas.

- Spoil sites shall not be located where spoil could be washed back into the river, or where spoil will cover aquatic or riparian vegetation. Any materials placed in seasonally dry portions of the canal/ drainage areas that could be washed downstream or could be harmful to aquatic life shall be removed from the streambed prior to inundation by high flows.

- After completing the activities, the disturbed area will be restored to pre-existing contours and conditions to the extent feasible.

**Federal Permit(s):** This Project was determined to fall under the U.S. Army Corps of Engineers' Nationwide Permit Number 14 (Linear Transportation Projects).

**Status of CEQA:** This railroad project involves the construction of second mainlines, and repair or reconstruction of existing bridges and related structures. Based on this project description, the Regional Water Board determined that the proposed project is statutorily exempt from CEQA pursuant to Public Resources Code § 21080(b)(10), which provides that CEQA exempts a "project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities." See also CEQA Guidelines § 15275(a) – Specified Mass Transit Projects.

In addition to this statutory exemption, the Regional Water Board also determined that the project is also categorically exempt from CEQA pursuant to CEQA Guidelines § 15302 – Replacement or Reconstruction. This exemption applies to the 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.

In accordance with CEQA Guidelines Section 15062, the Regional Water Board shall file a Notice of Exemption with the Office of Planning and Research upon approval of the Clean Water Act Section 401 Water Quality Certification.

**File:** Union Pacific Railroad Improvement Project - Yuma Subdivision Projects for the following Mileposts locations:
659.42 (WDID No. 7A133110001)
659.54 (WDID No. 7A133105001)

659.92 (WDID No. 7A133119001)
660.08 (WDID No. 7A133106001)
660.44 (WDID No. 7A133102001)
660.68 (WDID No. 7A133118001)
661.16 (WDID No. 7A133115001)
661.29 (WDID No. 7A133117001)
661.89 (WDID No. 7A133116001)
662.16 (WDID No. 7A133120001)
662.50 (WDID No. 7A133114001)
662.96 (WDID No. 7A133103001)
663.10 (WDID No. 7A133113001)
663.70 (WDID No. 7A133112001)
664.27 (WDID No. 7A133104001)
664.37 (WDID No. 7A133111001)
668.05 (WDID No. 7A133121001)
669.75 (WDID No. 7A133122001)
670.90 (WDID No. 7A133109001)
671.07 (WDID No. 7A133108001)
673.75 (WDID No. 7A133107001)
675.06 (WDID No. 7A133123001)

## NOTICE OF EXEMPTION

**To:**
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

**From:**
California Regional Water Quality Control Board
Colorado River Basin Region (Region 7)
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

**Project Title:**
Union Pacific Railroad – Yuma Subdivision for Mileposts: 659.42, 659.54, 659.92, 660.08, 660.44, 660.68, 661.16, 661.29, 661.89, 662.16, 662.50, 662.96, 663.10, 663.70, 664.27, 664.37, 668.05, 669.75, 670.90, 671.07, 673.75, 675.06 Projects

**Project Description:**
The purpose of the projects is to install bridges and new culverts in several locations near the towns of Wister and Niland in Imperial County, California.

**Project Locations (City and County):**

Project Milepost 659.42
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°19'19"N/ 115°36'29"W
Township/Range: T 10 S/ R 13 E/Section 03

Project Milepost 659.54
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°19'14"N/ 115°36'25"W
Township/Range: T 10 S/ R 13 E/Section 10

Project Milepost 659.92
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'58"N/ 115°36'12"W
Township/Range: T 10 S/ R 13 E/Section 10

Project Milepost 660.08
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'51"N/ 115°36'06"W
Township/Range: T 10 S/ R 13 E/Section 10

Project Milepost 660.44
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'35"N/ 115°35'54"W
Township/Range: T 10 S/ R 13 E/Section 10

Project Milepost 660.68
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'25"N/ 115°35'45"W
Township/Range: T 10 S/ R 13 E/Section 14

Project Milepost 661.16
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°18'04"N/ 115°35'28"W

Township/Range: T 10 S/ R 13 E/Section 14

Project Milepost 661.29
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°17'59"N/ 115°35'24"W
Township/Range: T 10 S/ R 13 E/Section 14

Project Milepost 661.89
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°17'33"N/ 115°35'03"W
Township/Range: T 10 S/ R 13 E/Section 23

Project Milepost 662.16
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°17'21"N/ 115°34'53"W
Township/Range: T 10 S/ R 13 E/Section 23

Milepost 662.50
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°17'07"N/ 115°34'42"W
Township/Range: T 10 S/ R 13 E/Section 24

Project Milepost 662.96
City or area: Wister, Imperial County, California
Longitude/ Latitude: 33°16'46"N/ 115°34'25"W
Township/Range: T 10 S/ R 13 E/Section 24

Project Milepost 663.10
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°16'40"N/ 115°34'21"W
Township/Range: T 10 S/ R 13 E/Section 25

Project Milepost 663.70
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°16'15"N/ 115°34'00"W
Township/Range: T 10 S/ R 13 E/Section 25

Project Milepost 664.27
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°15'52"N/ 115°33'37"W
Township/Range: 33°15'52"N/ 115°33'37"W

Project Milepost 664.37
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°15'49"N/ 115°33'32"W
Township/Range: T 10 S/ R 14 E/Section 30
Project Milepost 668.05

City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°14'19"N/ 115°30'09"W
Township/Range: T 11 S/ R 14 E/Section 03

Project Milepost 669.75
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°13'37"N/ 115°28'35"W
Township/Range: T 11 S/ R 14 E/Section 11

Project Milepost 670.90
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°13'05"N/ 115°27'23"W
Township/Range: T 11 S/ R 15 E/Section 18

Project Milepost 671.07
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°13'05"N/ 115°27'23"W
Township/Range: T 11 S/ R 15 E/Section 18

Project Milepost 673.75
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°12'00"N/ 115°24'55"W
Township/Range: T 11 S/ R 15 E/Section 21

Project Milepost 675.06
City or area: Niland, Imperial County, California
Longitude/ Latitude: 33°11'28"N/ 115°23'43"W
Township/Range: T 11 S/ R 15 E/Section 22

**Name of Public Agency Approving Project:** California Regional Water Quality Control Board, Colorado River Basin Region

**Name of Agency Carrying Out Project:**
Union Pacific Railroad

**Exempt Status (CEQA Guidelines Section and Class):**
The Regional Water Board determined that the proposed project is statutorily exempt from CEQA pursuant to Public Resources Code § 21080(b)(10), which provides that CEQA exempts a "project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities." See also CEQA Guidelines § 15275(a) – Specified Mass Transit Projects. In addition to this statutory exemption, the Regional Water Board also determined that the project is also categorically exempt from CEQA pursuant to CEQA Guidelines § 15302 – Replacement or Reconstruction.

**Reasons Why Project is Exempt:**
Project constitutes a replacement/reconstruction of an existing structure (a railroad bridge) 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.

**Contact Person - Lead Agency:**

John Carmona, Senior WRCE **Phone**: (760) 340-4521

3/6/12 **Senior Water Resources Control Engineer**

***Signature*** ***Date*** ***Title***

**Date received for filing at OPR**: _____

**File:** Union Pacific Railroad Improvement Project on the Yuma Subdivision Project for:

659.42 (WDID No. 7A133110001)
659.54 (WDID No. 7A133105001)
659.92 (WDID No. 7A133119001)
660.08 (WDID No. 7A133106001)
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673.75 (WDID No. 7A133107001)
675.06 (WDID No. 7A133123001)