
Central Valley Regional Water Quality Control Board

17 May 2023

John Lovenburg
Burlington Northern Santa Fe Railway (BNSF)
2500 Lou Mek Drive
Fort Worth, TX 76131

NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE BURLINGTON NORTHERN SANTA FE (BNSF) RAILWAY, BNSF BRIDGE 7200-949.00-277547 PROJECT, (WDID# 5C16CR00024), KINGS COUNTY

On 31 March 2023, Burlington Northern Santa Fe Railway (BNSF) (Permittee) filed a notification requesting coverage under the 12 October 2021 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of the United States Army Corps of Engineers (USACE) Nationwide Permits (Order No. WQ 2021-0048-DWQ) for the BNSF Bridge 7200-949.00-277547 Project (Project). After review of the notification and the supplemental material submitted by the Permittee, 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 will take place within less than 0.037 acres of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Nationwide Permit 3a, Maintenance, 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/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) can be found on the State Water Resources Control Board's General Orders webpage.

The Project must proceed 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 31 March 2023, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

PROJECT DESCRIPTION:

The 0.899-acre Project consists of replacing the existing Line Segment 7200 milepost 949.00 bridge over the Sweet Canal just southeast of Corcoran in Kings County. The existing bridge is a 70-foot-long, 20-foot-wide, 5-span concrete bridge supported by six bents consisting of three piles each. The proposed new bridge is an 84-foot-long, 20-foot-wide, 3-span concrete bridge supported by four bents consisting of three piles each. Riprap aprons would be constructed at the bridge abutments and would require excavation below the existing groundline. Temporary culverts would be placed in the canal and granular (gravel) fill placed on top of the culverts to act as a temporary causeway/crossing for equipment access. Work would be limited to the existing 100-foot-wide BNSF Right-of Way (ROW).

The Sweet Canal is an irrigation canal within the Corcoran Irrigation District. The canal has a fairly uniform channel cross-section and relatively stable Ordinary High-Water Mark (OHWM). The banks and surrounding areas are highly disturbed with little to no vegetation. There is no wetland or riparian vegetation within the project area.

Construction activities would generally consist of:

- Removing the existing rail, ties, ballast, and superstructure;
- Installing temporary pipe culverts and gravel fill;
- Removing existing bent caps;
- Cutting existing pile to minimum of 2 feet below flowline;
- Driving new pile;
- Removing existing abutments;
- Excavating riprap apron areas;
- Placing riprap;
- Setting new abutments, bent caps, and superstructure;
- Replacing ties, rail, and ballast;
- Removing temporary culverts and fill;
- Restoring pre-construction contours and conditions to the extent practicable;

Because the Sweet Canal is an active irrigation canal with no regularly scheduled dry-up periods, dewatering is not practicable; therefore, work would occur within water. Work within water would consist of placing the temporary culverts and granular fill, removing the existing pile, driving new pile, and removing the temporary culverts and fill.

The Project will temporarily impact 0.035 acres/30 linear feet and permanently impact 0.002 acres/15 linear feet of stream channel. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located 2.1 miles southeast of Corcoran, CA. The approximate center of the Project area is located at latitude 36.076045 degrees North and longitude -119.540567 degrees West.

PROJECT SCHEDULE:

The proposed construction timeframe is expected to be late Spring 2023 with a duration of three (3) weeks.

APPLICATION FEE RECEIVED:

An application fee of \$2,734.00 was received on 31 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 E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Ernesto P. Garcia at (559) 445-6281 or at Ernesto.Garcia@waterboards.ca.gov.



for

Patrick Pulupa
Executive Officer

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