

UNION PACIFIC RAILROAD
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December 16, 2014

File: Br. 739.79 Lakeside Sub

Mr. Walter L. Baker, P.E.
Director
Utah Division of Water Quality
Utah Department of Environmental Quality
195 North 1950 West
PO Box 144870
Salt Lake City, Utah 84114-4870

Submitted via email to wbaker@utah.gov

RE: Union Pacific Railroad - Great Salt Lake Causeway Culvert Closure and Bridge Construction Project - Application for Utah Section 401 Water Quality Certification of Individual Permit SPK 2011-00755, dated January 7, 2014 – Request for Temporary Administrative Withdrawal

Dear Mr. Baker:

As you know, the Utah Division of Water Quality (DWQ) is reviewing the above-referenced application for Clean Water Act Section 401 certification of the individual section 404 permit Union Pacific has requested from the U.S. Army Corps of Engineers. UPRR will be providing the following information for DWQ review on January 7, 2015: documentation of compliance with the State of Utah's antidegradation policy; and a revised Compensatory Mitigation and Monitoring Plan.

Union Pacific requests that DWQ temporarily withdraw Union Pacific's January 7, 2014 application administratively beginning on December 16, 2014. The application would be reinstated on the later of February 11, 2015 or, if the submissions described in the previous paragraph are not made by January 7, 2015, a number of days after February 11, 2015 equivalent to the number of days that the submission is delayed.

Union Pacific acknowledges that the end of the statutory one-year period under the Clean Water Act Section 401 would be adjusted to reflect the temporary administrative withdrawal requested by Union Pacific, and further acknowledges that the parties have not come to agreement about when that period would otherwise end. Union Pacific also notes DWQ's commitment to do everything reasonably possible to get the State of Utah's Certification in place by March 2, 2015, in time to allow Union Pacific to complete construction of the proposed bridge during the upcoming construction season.

Union Pacific requests that DWQ confirm in writing by December 16, 2014 its acceptance of Union Pacific's request. Should DWQ reject or fail to act upon any aspect of this request, it is withdrawn.



Thank you for your cooperation.

Yours truly,

A handwritten signature in black ink that reads "Mark L. McCune". The signature is written in a cursive style with a large, stylized "M" and "C".

Mark L. McCune, P.E.
Director Structures Design

CC: Mr. William Damery, Utah Division of Water Quality
Ms. Melissa M. Hubbell, Utah Attorney General's Office
Ms. Debra L. Schafer
Robert C. Bylsma
Wayne M. Whitlock