



State of Utah

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Department of  
Environmental Quality

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DIVISION OF WATER QUALITY  
Walter L. Baker, P.E.  
Director

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FEB 25 2014

Mark McCune  
Director, Structure Design  
Union Pacific Railroad  
1400 Douglas Street, Stop 0910  
Omaha, Nebraska 68179-0910



Dear Mr. McCune

Subject: Notification of requirement to prepare a Level II Antidegradation Review.

This letter is to serve as the Director response to condition #2 of the Utah Water Quality Certification SPK-2011-0755 dated December 6, 2013. The Union Pacific Railroad (UPRR) provided an Antidegradation Review (ADR) application form and supplementary information, dated December 10 & 11, 2013 respectively, with intent to substantiate the impacts associated with the closure of the east culvert would be temporary and limited and a Level II ADR would not be required in accordance with UAC R317-2-3.5.b.4.

Based on the information provided, the duration of water quality impacts until the proposed bridge is constructed is indefinite for several reasons. The modeling of potential long term impacts of the culvert closure is ongoing and is needed to size the bridge and causeway breach to meet the long term impact of no degradation. The proposed bridge is still in the planning phase. A construction schedule cannot be proposed until the design of the bridge is completed and building materials procured. In addition, UPRR has yet to secure all of the necessary State easements. These unresolved scheduling issues do not provide a reasonable factual basis to support that the water quality effects will be temporary. Therefore, UPRR is required to conduct a Level II ADR to address degradation that may occur in the interim period prior to the establishment of permanent mitigation.

UPRR and your consultants are encouraged to coordinate closely with DWQ staff to address the necessary elements in a Level II ADR, including: identifying parameters of concern; preparation of the statement of social, economic and environmental importance (SEEI); and an alternatives analysis to determine if any non or less degrading alternatives are feasible. Since the culvert has already been closed, the Level II ADR will be completed in an expeditious manner. Much of the required information has already been prepared and compiled for USACE permitting purposes.

Mark McCune

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UPRR is required to submit a complete Level II ADR to meet the requirements of the Water Quality Certification. The Division of Water Quality will public notice the Level II antidegradation review for comment.

Please contact Nick von Stackelberg at (801) 536-4374, [nvonstackelberg@utah.gov](mailto:nvonstackelberg@utah.gov) with any questions you may have concerning the completion of a Level II ADR.

Sincerely,



Walter L. Baker, P.E.  
Director

WLB:NV:fb

cc: Kathleen Anderson, USACE  
Julia McCarthy, U.S. EPA Region VIII  
Laura Ault, Forestry, Fire and State Lands

File: Level II ADR Notification  
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