

**Notice of Exemption****- 1 -****To:**

Office of Planning and Research  
 For U.S. Mail:  
 P.O. Box 3044  
 Sacramento, CA 95812-3044

**From:**

Department of Fish and Wildlife  
 Region 1 - Northern  
 601 Locust Street  
 Redding, California 96001

**Street Address:**

1400 Tenth Street  
 Sacramento, CA 95814

**Project Title:** Union Pacific Railroad Bridge Replacement (California Endangered Species Act Incidental Take Permit No. 2081-2020-027-01 (ITP))

**Project Location (include county):** The Union Pacific Railroad (UPRR) Bridge Replacement Project (Project) is located on Deer Creek within the UPRR right-of-way (ROW), Tehama County, at approximately 39.941335° North, -122.059300° West.

**Project Description:** The Project includes the replacement of the existing 3-span, 180-foot-long deck plate girder open deck bridge. UPRR plans to replace the entire bridge with three 69-foot beam span ballast deck-bridge girders, one 45-foot pre-stressed concrete box (PCB) girder on the north side, and timber ties. The new bridge will total 252-feet in length and have an opening area of 3,429-square feet. Upland Project activities include removal and replacement of existing northern and southern abutments, construction of new backwalls, and other activities. The southern abutment will be moved approximately 35 feet south, and the northern abutment will be moved approximately 25 feet north. The banks on either side of the new abutments will be regarded to a 2:1 slope and Class 2 riprap will be placed from the abutment to the edge of, but not internal to, the ordinary high water mark (OHWM) for bank stabilization.

The Project will result in permanent impacts to 0.002-acres of Central Valley Spring-Run Chinook Salmon (*Oncorhynchus tshawytscha*) habitat including temporary impacts to 0.01 acres; however, the Project will result in a net increase of approximately 0.004-acres of Central Valley Spring-Run Chinook Salmon habitat due to the new design requiring less pier, abutment, and riprap area below the top of bank compared to the current bridge. The project is expected to result in incidental take of Central Valley Spring-Run Chinook Salmon, which is designated as a threatened species under the California Endangered Species Act. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

**Person or Public Agency Carrying Out Project:** Union Pacific Railroad

**Exempt Status:**

- Statutory Exemption. Type – Specified Mass Transit Projects, title 15, section 15275
- Categorical Exemption. Type – **Class 3; California Code of Regulations, title 14, section 15303**, CEQA does not apply to the following mass transit projects:
- (a) The institution or increase of passenger or commuter service on rail lines or high-occupancy vehicle lanes already in use, including the modernization of existing stations and parking facilities;
  - (b) Facility extensions not to exceed four miles in length which are required for transfer of passengers from or to exclusive public mass transit guideway or busway public transit services.

**Reasons why project is exempt:** Project is being undertaken to modernize passenger and commuter rail facilities. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.

**CDFW Contact Person:** Adam McKannay, [adam.mckannay@wildlife.ca.gov](mailto:adam.mckannay@wildlife.ca.gov), (530) 356-5099

DocuSigned by:

Tina Bartlett

Signature: 1D82ADE7303A474...

8/14/2020

Date:

**Tina Bartlett, Regional Manager**  
 Northern Region

Date received for filing at OPR:     **Aug 14 2020**    

**STATE CLEARINGHOUSE**