

July 12, 2011

**Public Notice for Water Quality Certification and/or
Waste Discharge Requirements (Dredge/Fill Projects)**

Humboldt County Department of Public Works – Larabee Creek Gravel Extraction at
Charles Bar
WDID 1B04092WNHU

Humboldt County

On May 2, 2011, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Humboldt County Department of Public Works (applicant) requesting Federal Clean Water Act, section 401, Water Quality Certification (Dredge/Fill Projects) to continue gravel (aggregate) removal activities on Larabee Creek at Charles Bar, approximately 5.5 miles north of Blocksburg. The proposed project will cause disturbances to waters of the United States associated with Larabee Creek in the Larabee Creek Hydrologic Subarea No. 111.13.

The applicant's proposed extraction activities involve annual extraction of up to 25,000 cubic yards of aggregate material from the Charles Bar. The total area that is subject to potential gravel removal and associated activities covers approximately 24 acres. Up to approximately 3.5 acres are disturbed annually by aggregate extraction activities. The actual volume of aggregate material removed and the specific area of extraction within the Charles Bar varies from year-to-year based on seasonal replenishment. Gravel removal is expected to continue as often as annually following authorization by other local, state, and federal permits.

The proposed project area is located adjacent to Alderpoint Road near the confluence of Hayfield Creek, Boulder Flat Creek and Thurman Creek. Multiple active landslides in these watersheds have contributed to significant aggradation of the streambed at the Charles Bar. There is typically no defined channel through this aggraded reach and the shallow braided flows leave little opportunity for anadromous fish to reach spawning habitat in the upper reaches of Larabee Creek and its tributaries. Recent extraction activities have been designed to promote salmonid migration and typically involve aggregate extraction from an approximately 1,300-foot long trench excavated near the center of the bankfull channel.

River-run aggregate is typically removed using scrapers, dozers, excavators, loaders, and dump trucks. After the applicant has removed the aggregate to the approved extraction design lines and grades, the extraction area is graded as necessary to leave no depressions or berms that may potentially trap fish or cause impacts to surrounding habitats. When the final surfaces of the site are graded for seasonal reclamation, the operator may remove any temporary summer crossings and leave the bankfull channel area to the natural reclamation process, which occurs during the high flow events of the following winter. Natural bedload transport processes during winter storm events have consistently returned the Charles Bar gravel extraction area to its pre-extraction form. Due to the highly aggraded condition of the Charles Bar extraction area, temporary low

flow bridge crossings have not been needed and it is unlikely that seasonal extraction plans will include proposals for temporary bridges.

The aggregate extraction season is typically from June 1 to October 31. Post extraction grading and removal of all extraction and processing equipment will be completed by November 15 each year. If temporary bridge crossings are necessary they will consist of a railroad flatcar on concrete block and clean gravel-fill abutments and crossings will be located to avoid potential fish spawning, holding, and rearing habit.

On December 3, 1992, the County of Humboldt adopted a Mitigated Negative Declaration for the project in order to comply with CEQA. On April 16, 2009, the County of Humboldt adopted a Subsequent Mitigated Negative Declaration for the project. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment. The applicant will implement mitigation and impact avoidance measures during the aggregate extraction processes including maintenance and inspection of equipment, minimizing impacts to water quality, and limiting the amount of haul roads providing access to the channel extraction areas.

In the past, the applicant's aggregate extraction operations have been regulated by the Army Corps of Engineer's (ACOE) county-wide Letter of Permission Procedure pursuant to Clean Water Act, Section 404. Beginning in 2004, the Charles Bar aggregate extraction operations have been regulated by an Individual Permit (File No. 28483 N) issued by the ACOE. The applicant has also obtained a Lake or Streambed Alteration Agreement (R1-05-0031) from the California Department of Fish and Game (DFG). In addition to conditions set forth by the Regional Water Board; the DFG, ACOE, and National Marine Fisheries Service conduct additional regulatory review and project approval. These agencies and the County of Humboldt Extraction Review Team require extensive monitoring, data gathering, reporting, site inspections, channel cross section surveys, and aerial photo review.

The Lower Eel River Total Maximum Daily Loads (TMDL) for temperature and sediment was established in 2007 by the United States Environmental Protection Agency in accordance with section 303(d) of the Clean Water Act, because the State of California determined that the water quality standards for the Lower Eel River are exceeded due to excessive temperature and sediment. Roads and bank erosion are identified as sources contributing to the sediment impairment. In addition, activities that impact the riparian zone and reduce riparian vegetation are identified as sources contributing to increased stream temperatures. The primary adverse impacts associated with excessive temperature and sediment in the Lower Eel River pertain to cold freshwater habitat, primarily anadromous salmonid habitat. Authorized activities will require implementation of Best Management Practices (BMPs) for sediment control at temporary stream crossings, and activities intended to enhance habitat for salmonids and other aquatic species such as extractions that are designed to enhance fish passage. Accordingly, this Order is consistent with, and implements portions of the Lower Eel River TMDL.

The information contained in this public notice is only a summary of the applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed activities. The application and Regional Water Board file are available for public review.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.