

October 30, 2015

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

**Humboldt Redwood Company – Eel River Aggregate Extraction  
WDID No. 1B11079WNHU**

**Humboldt County**

On September 24, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received a letter requesting reissuance of Federal Clean Water Act, section 401, Water Quality Certification (Certification) and/or Waste Discharge Requirements (Dredge/Fill Projects) from Humboldt Redwood Company (Applicant) to continue annual gravel (river-run aggregate) removal activities at the Scotia Dam Bar; Truck Shop Bar (Upper and Lower); Dinner Creek Bar; Three-Mile Bar; Elinor Bar; Larabee Bar; South Fork Bar; Bowlby Bar; Vroman Bar; and Maynard Bar on the Eel River and South Fork Eel River. On August 2, 2011, the Regional Water Board issued a Water Quality Certification for the proposed activities which expires November 15, 2015. The proposed activities will cause disturbances to waters of the United States associated with the Eel River in the Eel River Hydrologic Unit No. 111.00. The Applicant conducted river-run aggregate removal activities during the previous permit cycle. The proposed Project sites for river-run aggregate removal remain unchanged and are located at Scotia Dam Bar: 40.4760 N/124.1099 W; Truck Shop Bar: 40.4683 N/124.1042 W; Dinner Creek Bar: 40.4575 N/124.0868 W; Three-Mile Bar: 40.4562 N/124.0774 W; Elinor Bar: 40.4473 N/124.0348 W; Larabee Bar: 40.4141 N/123.9331 W; South Fork Bar: 40.3525 N/123.9151 W; Bowlby Bar: 40.3433 N/123.9117 W; Vroman Bar: 40.3437 N/123.8778 W; Maynard Bar: 40.3422 N/123.8590 W. No permanent impacts to waters of the U.S. and the State are proposed. All impacts to waters are considered temporary.

The Applicant conducts Eel River aggregate extraction operations on ten separate gravel bars that cover a total of approximately 400 acres. All ten bars are located between the communities of Scotia and McCann. Aggregate has been extracted from these ten sites along the Eel River since the early 1900's. The Scotia Dam Bar, Truck Shop Bar (Upper and Lower), Dinner Creek Bar, and Three-Mile Bar are located between river mile 22 and 25 near the town of Scotia. The Elinor Bar and Larabee Bar are located between Scotia and the South Fork Eel River at river mile 27.5 and 36 respectively. The South Fork Bar, Bowlby Bar, Vroman Bar, and Maynard Bar are located between the South Fork Eel River and McCann at river mile 41, 42, 44, and 45 respectively.

The Applicant's gravel extraction activities involve annual removal of up to 30,000 cubic yards of aggregate from each of the ten bars. The actual volume of aggregate removed from each bar and the specific area of extraction will vary each year. The actual volume removed shall not exceed 15,000 cubic yards per bar per year as an average over a period of ten

years. In addition, the actual volume shall not exceed a total volume of 150,000 cubic yards per year from all ten bars. Aggregate will be used for rock and base for restoration projects, haul roads, log landings, log storage areas, and railroad beds throughout the Applicant's sizable timber land holdings. Aggregate is also used for municipal engineering projects for the town of Scotia and throughout the mill complexes.

River-run aggregate is removed using scrapers, dozers, excavators, loaders, and dump trucks. The permitted aggregate extraction season is typically from June 1 to October 15 or until river conditions indicate all gravel operations shall cease prior to imminent inundation of the gravel bar, whichever comes first. Agencies may agree to grant an extension of the extraction season. Temporary crossing installation and use is typically allowed between June 30 and October 15. Temporary crossings are located to avoid potential fish spawning, holding and rearing habitat. Appropriate crossing locations are typically shallow low-velocity waters located away from riffle crests and pools. Temporary crossings will typically consist of two railroad flatcars placed on abutments. Abutments may consist of brow logs, concrete blocks, concrete K-rails, native gravel or washed rock, or other methods that provide a high level of protection from turbidity impacts. All temporary crossings must be removed no later than October 15.

After the Applicant has removed the aggregate to the approved extraction design lines and grades, the extraction area is re-graded as necessary to leave no depressions or berms that may potentially trap fish or cause impacts to surrounding habitats. The Applicant's consultant will conduct a site visit at the conclusion of extraction operations and provide any additional recommendations reflecting seasonal extraction plans and reclamation plan conformity. When the final surfaces of the site are graded for seasonal reclamation, the operator may remove the summer crossings and leave the bankfull channel area to the natural reclamation process, which occurs during the high-flow events of the following winter. The Applicant will implement impact avoidance measures during the aggregate extraction processes including; maintenance and inspection of equipment, maintaining vertical and horizontal offsets from the live channel to ensure low-flow channel confinement, maintaining sufficient water depth for fish, minimizing impacts to water quality, limiting the number wet crossings, and limiting the amount of haul roads providing access to the extraction areas.

The Applicant's aggregate extraction operations have been regulated by the U. S. Army Corps of Engineers (ACOE) Letter of Permission (LOP) Procedure pursuant to Clean Water Act, Section 404. Under LOP 2015, each gravel operator complies with standardized procedures and receives a site-specific LOP. A Modification to the site-specific LOP is provided in subsequent years. In addition to conditions set forth by the Regional Water Board; California Department of Fish and Wildlife (CDFW), ACOE, and National Marine Fisheries Service conduct additional regulatory review and project approval. These agencies and the County of Humboldt Extraction Review Team (CHERT) require monitoring, data gathering, reporting, site inspections, channel cross section surveys, and

aerial photo review. Aggregate extraction is expected to continue as often as annually following authorization by other local, state, and federal permits.

The Lower Eel River and Middle Main Eel River Total Maximum Daily Loads (TMDLs) for temperature and sediment were established 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 and Middle Main 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 and Middle Main Eel River pertain to cold freshwater habitat, primarily anadromous salmonid habitat. Actions authorized by LOP 2015 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 alcove/wetland extractions designed to sequester silt and harbor willows. LOP 2015 requires all riparian woody vegetation and wetlands to be avoided to the extent possible and any disturbed woody riparian vegetation at least 2-inches diameter must be mitigated. Accordingly, this Order is consistent with, and implements portions of the Lower Eel River and Middle Main Eel River TMDLs.

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 including site maps and cross-sections. The Applicant's 2011 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 (hard copy) and received at this office by mail or by direct delivery during a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Jake Shannon at (707) 576-2673 within 21 days of the posting of this notice.