

October 30, 2015

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

Garman Property – Middle Fork Eel River Aggregate Extraction at McKenzie Bar  
WDID No. 1B11008WNME

Mendocino County

On December 16, 2014, 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 Wylatti Resource Management, Inc. (Applicant) to continue annual gravel (river-run aggregate) removal activities at the McKenzie gravel bar on the Middle Fork Eel River and Cable Creek approximately one mile east of Dos Rios, CA. On June 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 Middle Fork Eel River in the Middle Fork Eel River Hydrologic Unit No. 111.71. The Applicant conducted river-run aggregate removal activities during the previous permit cycle. The proposed Project sites for river-run aggregate removal remain unchanged. No permanent impacts to waters of the U.S. and the State are proposed. All impacts to waters are considered temporary.

The McKenzie gravel bar is located at 39.7088° N, 123.3374° W. Annual aggregate extraction operations at the McKenzie Bar typically result in 4.6 acres of temporary impacts to waters of the U.S. The maximum volume of aggregate authorized for annual extraction from the McKenzie Bar is 30,000 cubic yards. The actual volume removed and the specific area of extraction varies from year-to-year but may not exceed the maximum limits authorized by the Certification. Gravel removal activities are expected to continue annually, following proposal approval by local, state, and federal permits.

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 has authorization from the United States Army Corps of Engineers to perform the Project under Individual Permit, pursuant to Clean Water Act, section 404. The Applicant is requesting a minor amendment to extend their current Lake or Streambed Alteration Agreement (Notification No. 1600-2010-0251-R1) from the California Department of Fish and Wildlife (CDFW).

The Middle Fork Eel River Technical Total Maximum Daily Loads (TMDL) for sediment and temperature was established in 2003 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 Middle Fork Eel River are exceeded due to excessive sediment and temperature. 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 Middle Fork Eel River pertain to cold freshwater habitat, primarily anadromous salmonid habitat. Activities authorized by this certification will require implementation of Best Management Practices (BMPs) for sediment and turbidity control at temporary stream crossings and implementation of impact avoidance measures as described above. Accordingly, the project is consistent with, and implements portions of the Middle Fork 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 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.

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