

October 30, 2015

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

**Wallan and Johnson – South Fork Eel River Aggregate Extraction
WDID No. 1B02121WNHU**

Humboldt County

On September 28, 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 Garry Rees of Streamline Planning Consultants on behalf of Wallan and Johnson (Applicant) to continue annual gravel (river-run aggregate) removal activities on the South Fork Eel River near Garberville. On February 9, 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 South Fork Eel River in the Benbow Hydrologic Unit No. 111.32. 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 40.10825 N, 123.79768 W. No permanent impacts to waters of the U.S. and the State are proposed. All impacts to waters, of the addition of clean native spawning river coarse sediment, are considered temporary.

The Applicant's aggregate extraction operations cover approximately nine acres. Annual aggregate extraction operations typically result in up to five acres of temporary impacts to waters of the U.S. The maximum volume of aggregate authorized for annual extraction is 10,000 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.

Temporary stockpiling of excavated material within the limits of the extraction area is allowed through October 1. After October 1, excavated materials stockpiled on the river bars must be removed on a daily basis and extraction areas must be groomed and graded to drain freely at the end of each work day. The Applicant or their consultant will conduct a site visit at the conclusion of the extraction operation and provide any additional recommendations reflecting seasonal extraction plan and reclamation plan conformity.

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; the California Department of Fish and Wildlife, ACOE, and National Marine Fisheries Service conduct additional regulatory review and project approval. These agencies and the County of Humboldt Extraction Review Team require monitoring, data gathering, reporting, site inspections, channel cross section surveys, and aerial photo review.

The South Fork Eel River Total Maximum Daily Loads (TMDL) for sediment and temperature were established in 1999 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 South 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 South Fork 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 (LOP 2009 – Appendix A) 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, the Project is consistent with, and implements portions of the South 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 2010 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.