

January 18,2006

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

Mercer-Fraser Company, Dinsmore Gravel
(WDID No. 1A05097WNTR)

Trinity County

On July 11, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mercer-Fraser Company (applicant) requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for aggregate extraction operations on the Van Duzen River at river mile 54 (Mine ID #91-53-0002), Trinity County. The proposed project will cause disturbances to waters of the United States associated with the Van Duzen River in the Bridgeville Hydrologic Subarea No. 111.22.

The Dinsmore Bar is located just east of the Humboldt County Line, in Trinity County with an excavation area of approximately 47 acres. The applicant's Van Duzen River aggregate extraction operations have a maximum extraction volume of 50,000 cubic yards annually. The actual volume removed and the specific area of extraction within each gravel bar varies from year-to-year.

Aggregate extraction operations on these gravel bars have been regulated by the U.S. Army Corps of Engineers (ACOE) Letter of Permission (LOP) procedure pursuant to Clean Water Act Section 404. Extraction activities at the Dinsmore Bar are authorized by LOP2004-1 through the 2008 extraction season. Aggregate is removed from dry gravel bars with scrapers, dozers, excavators, loaders, and dump trucks. The extraction season is typically from June 1 to October 31. Aggregate is removed from dry gravel bars with scrapers, dozers, excavators, loaders, and dump trucks. Summer crossings must be removed by September 15. Temporary summer crossings consist of railroad flatcars on concrete block and clean gravel fill abutments. Summer crossings are located to avoid potential fish spawning, holding, and rearing habit.

Temporary stockpiling of up to 200 cubic yards of excavated material within the limits of the extraction area is allowed through October 1. After October 1, all stockpiling on the gravel bar must be removed on a daily basis and the area graded at the completion of each workday. The County of Trinity, as the lead California Environmental Quality Act agency, certified a Mitigated Negative Declaration on May 8, 1986 for gravel extraction at the Dinsmore Bar. In addition to conditions set forth by the Regional Water Board, the California Department of Fish and Game, Army Corps of Engineers, and NOAA Fisheries conduct additional regulatory review and project approval.

The Mercer, Fraser Company will implement Best Management Practices (BMPs) to minimize direct impacts to the channel. The BMPs include the use of existing roads and processing sites. All excavation machinery will be kept out of the low-flow and/or wetted channel at all times. When extraction sites are designated near an active channel, a one-foot minimum vertical offset from the surveyed low-flow channel water surface or a minimum horizontal offset must be

incorporated, depending on site-specific locations. The offsets maintain the integrity of the channel and prevent extraction materials from entering the main or secondary channels.

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. This project may be eligible for coverage by the proposed *General Waste Discharge Requirements and Water Quality Certification for Discharges Related to Sand and Gravel Mining, Excavation, and Processing Activities, Including Asphalt and Concrete Operations, on Non-Federal Lands in the North Coast Region* (General WDRs). The Regional Water Board adopted the General WDRs in a June 21, 2005 public hearing. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact Regional Water Board staff Dean Prat by phone at (707) 576-2801, or email dprat@waterboards.ca.gov within 21 days of the posting of this notice.