

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

Eureka Sand and Gravel Company – Lower Eel River Aggregate Extraction
Hauck, Drake & Singley Bars
(WDID No. 1B05045WNHU)

Humboldt County

On April 15, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Eureka Sand and Gravel Company (applicant) requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for aggregate extraction operations on the Lower Eel River between the mouth of the Van Duzen River and Fernbridge in Humboldt County. The proposed projects will cause disturbances to waters of the United States associated with the Eel River in the Lower Eel River Hydrologic Area No. 111.10.

The applicant's Eel River aggregate extraction operations consist of three separate gravel bars on the Lower Eel River. The Hauck Bar is located immediately downstream of the mouth of the Van Duzen River and covers approximately 152 acres. The Drake Bar is located in the Sandy Prairie area downstream of Fortuna and covers approximately 120 acres including some upland area. The Singley Bar is located about one-half mile downstream of Fernbridge and covers approximately 280 acres. Since 1993, the average volume of aggregate extracted annually from the Hauck Bar is approximately 47,200 cubic yards. Aggregate extraction has not occurred on the Drake Bar and Singley Bar since 1996. The applicant's permits allow annual removal of up to 150,000 cubic yards from the Hauck Bar, 250,000 cubic yards from the Drake Bar, and 160,000 cubic yards from the Singley Bar. 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. The ACOE recently issued a five-year individual Section 404 permit for Hauck Bar extraction activities. Extraction activities at the Drake Bar and Singley Bar are authorized by LOP2004-1 through the 2009 extraction season. The individual permit for Hauck Bar is consistent with the previous LOP and LOP2004-1. 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. Avoidance measures for the Western Snowy Plover currently prevent extraction until mid-July. Summer crossing installation and use at the Hauck Bar and Drake Bar is allowed as early as June 15. Summer crossings must be removed by October 15 unless an extension is granted. Access to the Singley Bar does not require installation of a temporary crossing. 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 excavated material within the limits of the extraction area is allowed through October 15. The applicant hauls the excavated material to their upland aggregate processing facility on Palmer Boulevard, adjacent to Highway 101, and their aggregate processing and concrete batching facility near the Hauck Bar at Alton. After the applicant has removed the aggregate to the approved extraction design lines and grades, the extraction area is

regraded 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 the extraction operation and provide any additional recommendations reflecting seasonal extraction plan 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 mitigation and 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, limiting the amount of haul roads providing access to the channel extraction areas, and use of clean washed gravel and concrete blocks for construction of temporary crossings.

The applicant conducts operations under a supplemental Environmental Impact Report (EIR) for aggregate extraction activities on the Eel River that was certified by the County of Humboldt on September 10, 1992. The County of Humboldt, as the lead California Environmental Quality Act agency, certified a supplemental EIR for gravel extraction at the Hauck Bar on July 24, 1997. 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. 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.

Regional Water Board staff is 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 will hold a hearing to consider the General WDRs for adoption on June 21, 2005. The decision to regulate this project pursuant to Section 401 or the proposed General WDRs will be made following the Regional Water Board hearing in June. 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.