

July 13, 2005

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

Mad River Sand and Gravel – Sand and Gravel Extraction
WDID No. 1B02118WNHU

Humboldt County

On May 10, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Guynup Enterprises requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Mad River gravel extraction operations located at mile 13.5 on the Mad River, Humboldt County. Regional Water Board staff deemed the application complete on June 9, 2005. The proposed project will cause disturbances to waters of the United States associated with Mad River in the Blue Lake Hydrologic Area No. 109.10.

The proposed project area involves 120-acres; 30 acres are dedicated to aggregate processing. Processing activities will not take place within the extraction areas or on the gravel bar. The project site is located off Fish Hatchery Road, between the community of Blue Lake and the Mad River Fish Hatchery, near the intersection of West End Road, in Humboldt County. Guynup Bar comprises approximately 21 acres in the active channel, which is approximately 6% of the total active channel bar area in the mining reach. The annual average for the river-run gravel extraction is 33,600 cubic yards, with a total annual limit of 42,000 cubic yards. Historically, extraction operations have occurred along this reach of the Mad River since 1964. Actual volume of gravel removed and the specific area of extraction vary each year. Extraction volumes are based on the annual assessment of site conditions. The U. S. Army Corps of Engineers (ACOE) Letter of Permission (96-1 and 2002-1) procedure, pursuant to Clean Water Act Section 404, regulates Mad River Sand and Gravel extraction operations. In addition to being subject to the Section 404 permit, the project is subject to annual review by the California Department of Fish and Game (CDFG), County of Humboldt Extraction Review Team (CHERT) and NOAA Fisheries. CHERT provides site-specific recommendations for extraction quantities, impact minimization, and project mitigation measures.

The applicant proposes to remove gravel from within the delineated extraction areas using a scraper, making longitudinal passes parallel with the channel. Gravel will be hauled directly to an upland processing facility. Front-end loaders, excavators and dump trucks will be used for direct haul or hauling on public roads. During extraction, the applicant will maintain a vertical buffer between the stream water surface and the extraction area. Temporary stockpiles are permitted in pre-designated areas as determined during the pre-extraction inspection. Stockpiles shall be located away from the wetted channel and removed prior to October 1 each year. The applicant proposes to use existing haul roads to access the gravel bars. The applicant may construct two temporary channel crossings; typically only one is needed at the Guynup bar. If encroachment into the low flow channel is necessary to span the wetted channel, the applicant will construct the access side abutment with 6-foot by 2-foot by 2-foot concrete blocks and washed gravel or cobble to an elevation above low water surface. Temporary crossings cannot be placed until June 30 and must be removed by

September 15. Crossings are located to avoid potential fish spawning, holding and rearing habitat. Location, construction and removal of temporary channel crossings will be reviewed by CHERT. The extraction season is typically from June 1 to October 15.

In compliance with the CHERT design features, the extraction areas must be regraded prior to October 15. In addition, the applicant is required to return the area to the regraded condition at the end of the workday for all extraction activities between October 1 and October 15. Regrading will leave no depressions or berms that may potentially trap fish or impact surrounding habitats, returning the area to a free-draining configuration. The applicant must submit pre- and post-extraction reports, which includes aerial photos done to CHERT specifications. Post-project site inspections are to be conducted as soon as possible after cessation of activities.

Mitigation and impact avoidance measures include restricting heavy equipment and trucks to haul roads, exclusion of all machinery from the low flow channel, maintenance of vertical and horizontal offsets from the live channel, regular maintenance and inspection of equipment to prevent vehicle leaks into receiving waters, limiting temporary channel crossings, use of log, concrete blocks and other suitable materials for abutments of temporary crossings and maintaining sufficient water depth for fish. All unavoidable impacts must have a mitigation plan and shall be submitted with applications for all projects that will adversely affect wetlands and riparian vegetation. Under the guidance of NOAA Fisheries, Reasonable and Prudent Measures are to be implemented to minimize impact of incidental take of listed salmonids. The measures require monitoring and reporting of changes to habitat quality and quantity. In addition the applicant must correctly implement a vertical offset of the skim floor in order to maintain sufficient low flow channel confinement.

The applicant conducts aggregate extraction operations under conditions of the Program Environmental Impact Report (PEIR), SCH# 92083049, for aggregate removal from the Mad River. The Humboldt County Planning Division, as lead California Environmental Quality Act agency, certified the PEIR for the project on May 31, 1994. The applicant applies for a Lake or Streambed Alteration Agreement (1600 Agreement) annually after receiving approval for its annual extraction plans from CHERT, CDF&G, ACOE, and NOAA Fisheries.

Regional Water Board staff propose 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 *General Waste Discharge Requirements and Water Quality Certification for Dischargers 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 WDR's) that were adopted on June 21, 2005. 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 staff member Dean Prat at (707) 576-2801, or at dprat@waterboards.ca.gov within 21 days of the posting of this notice.