

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

Leland Rock Sand and Gravel – Gravel Extraction Operations
WDID No. 1B02126WNHU

Humboldt County

On June 6, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Keith Hess, representing Leland Rock (applicant) requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Van Duzen gravel extraction operations located near the community of Alton, Humboldt County. The Regional Water Board staff deemed the application complete on July 6, 2005. The proposed project will cause disturbances to waters of the United States associated with the Van Duzen River in the Hydesville Hydrologic Subarea No. 111.21.

The proposed project is located along the lower reaches of the Van Duzen River, river mile 0-1.7, near Alton, California. Leland Rock gravel extraction occurs in portions of Sections 23, 24, and 25; Township 2 North, Range 1 West, HB&M.

The applicant proposes to extract up to 100,000 cubic yards of river run aggregate within this 990-acre river reach. The project requires the temporary disturbance of up to 40 acres; the annual average over the last five years is 21.5 acres. Extraction methods include skimming, excavating wetland pits on terraces above the ordinary high water, alcoves, and dry trenching. Extraction in the lower two miles of the Van Duzen River will be limited to alternative extraction designs, such as trenching, alcoves, horseshoe pits, and very narrow skims. Very narrow skims will be limited to 90 feet total width, measured across the top of the extraction; this provides for confinement of early season peak flows, thus reducing impairment of salmonid movement. The applicant will use front-end loaders, excavators, and bulldozers in the extraction operations. Impacts are temporary due to the annual replenishment of aggregate from high winter flows.

All wet aggregate material must be temporarily stockpiled away from the wet channel to prevent runoff from entering the river. After the material is dry, it is transported across temporary channel crossings. The Wild and Scenic Rivers Act requires removal of all temporary stockpiles of excavated material by Saturday of each week. All stockpiles are to be permanently removed by October 15. Existing haul roads are used to access gravel bars. The applicant may construct temporary channel crossings. Temporary channel crossings will be constructed with either a flatcar or a bridge span with log and native gravel abutments. Temporary crossings cannot be placed until June 30 and must be removed by October 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. Gravel extraction setbacks are a minimum of 500 feet from any structure in the river. The extraction season is typically from June 1 to October 15. Avoidance measures for the Western Snowy Plover currently prevent extraction until after July 22 and after three consecutive days of surveys to determine the absence of the species within the extraction area.

Since 1996, the Leland Rock operations have been regulated by the U. S. Army Corps of Engineers (ACOE) Letter of Permission procedure, pursuant to Clean Water Act Section 404. In addition to the Section 404 permit, California Department of Fish and Game (CDFG), County of

Humboldt Extraction Review Team (CHERT) and NOAA Fisheries review the gravel extraction operations annually. CHERT provides site-specific recommendations for extraction quantities and impact minimization and mitigation measures.

In compliance with the CHERT design features, the extraction areas must be regraded on completion of the aggregate extraction prior to October 15. Regrading fills in depressions and removes any temporary fills, returning the area to a free-draining configuration. The applicant must submit pre- and post-extraction reports, which include aerial photos meeting certain specifications. The applicant must conduct post-extraction site inspections as soon as possible after cessation of activities. The extraction season ends on October 15 unless ACOE submits a request to NOAA Fisheries and CHERT to grant an extension to 1 November. 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. All vegetative mitigation must be planted between November 1 and February 28 of the year following excavation and must have an approved survival rate of three growing seasons.

The applicant conducts aggregate extraction operations under conditions of the Program Environmental Impact Report (EIR) for aggregate removal from the Eel River, adopted in 1992. The Humboldt County Planning Commission, as lead California Environmental Quality Act agency, adopted a Supplemental EIR for the Leland Rock Aggregate Extraction Project in 1996. The applicant applies for a Lake or Streambed Alteration Agreement (1600 Agreement) annually after receiving approval of 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 under 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.