

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

Wallan and Johnson - South Fork Eel River Gravel Extraction
(WDID 1B02121WNHU)

Humboldt County

On June 17, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ken Wallan, representing Wallan and Johnson (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for sand and gravel extraction operations on the South Fork Eel River near Garberville. The proposed aggregate extraction operations will cause disturbances to waters of the United States associated with the South Fork Eel River in the Benbow Hydrologic Subarea No. 111.32.

The applicant's sand and gravel extraction operations are located on the South Fork Eel River approximately one-half mile north of Garberville (Section 13, T4S, R3E HB&M). Commercial aggregate extraction operations within this reach of the South Fork Eel River have been ongoing since 1947. The proposed aggregate extraction operations are regulated by the U.S. Army Corps of Engineers (ACOE) Letter of Permission procedure (LOP 2004-1) pursuant to Clean Water Act Section 404. Activities authorized by LOP 2004-1 include aggregate mining within the stream channel and other work associated with this activity such as temporary stock piling of aggregate materials in a dry section of the stream channel, construction of temporary cofferdams, and installation and removal of stream crossings.

The applicant's aggregate extraction operations cover a total area of approximately 13 acres that may be subject to aggregate extraction. The actual area temporarily impacted by the annual extraction activities typically varies from 0 to 5 acres. The applicant's proposed extraction activities involve annual extraction of up to 10,000 cubic yards of aggregate material. The actual amount of aggregate extracted each year is based on the amount of seasonal aggregate replenishment. Aggregate material within the entire bank full channel area and the above described river reach may be subject to extraction depending on an annual site-specific evaluation of the gravel bar conditions and seasonal aggregate replenishment. The applicant typically uses front-end loaders and dump trucks to remove the aggregate material from the gravel bars and to transport the material to offsite stockpile areas where the material is stored for construction purposes or sold to other local gravel processing operations. The applicant does not maintain aggregate processing facilities.

After the applicant has removed the aggregate to the approved extraction design lines and grades, the applicant is required to re-grade the extraction area as necessary to leave no depressions or berms that may potentially trap fish or cause impacts to surrounding habitats. The applicant or their consultant will conduct a site visit at the conclusion of extraction operations 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 applicant may remove any summer crossings and leave the bank-full channel area to the natural reclamation process, which occurs during the high flow events of the following winter. The aggregate extraction season typically ends on October 15 unless regulatory agencies agree to extend the extraction season. The applicant is required to implement mitigation and impact avoidance measures during the aggregate extraction processes including; maintaining vertical and horizontal offset from the live channel to ensure low-flow channel confinement, maintaining

sufficient water depth for fish, minimizing impacts to water quality, limiting the number of haul roads providing access to the channel extraction areas, and minimizing the need for temporary stream crossings when practicable.

The County of Humboldt, as the lead California Environmental Quality Act agency, certified a Negative Declaration for the applicant's aggregate extraction operations on August 10, 1992. The applicant applies for Lake or Streambed Alteration Agreements (1600 Agreement) from the California Department of Fish and Game (CDF&G) on an annual basis after receiving approval of their annual extraction plans by the County of Humboldt Extraction Review Team, CDF&G, ACOE, and NOAA Fisheries.

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 is likely to be eligible for coverage under the *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* that was adopted by the Regional Water Board 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 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.