

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

Humboldt County Department of Public Works - Lower Eel River Gravel Extraction
(WDID 1B02129WNHU)

Humboldt County

On June 21, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ann Glubczynski, representing Humboldt County Department of Public Works (applicant), requesting Federal Clean Water Act, Section 401, Water Quality Certification for sand and gravel extraction operations on the Lower Eel River near Fernbridge. The proposed aggregate extraction operations will cause disturbances to waters of the United States associated with the lower Eel River in the Ferndale Hydrologic Subarea No. 111.11.

The applicant's sand and gravel extraction operations are located on the Worswick Bar near 1300 Fernbridge Drive (Sections 28, 29, and 33, T3N, R1W HB&M). 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 Worswick gravel bar is approximately 230 acres. The actual area temporarily impacted by the applicant's annual gravel extraction activities varies from approximately 5 to 10 acres. The applicant's proposed extraction activities involve annual extraction of up to 25,000 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. Aggregate may be extracted by a variety of methods such as horseshoe extraction, wetland pit, dry trench, or narrow skim. The County of Humboldt Extraction Review Team (CHERT) determines the extraction method that will be used each season. The applicant typically uses bulldozers, front-end loaders, and dump trucks to remove the aggregate material from the gravel bar and to transport the material to a stockpile area. The applicant maintains a permanent upland stockpile area located adjacent to the gravel bar along Fernbridge Drive. 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 adverse impacts to surrounding habitats. The applicant or their consultant will conduct a site visit at the conclusion of extraction operations and will provide any additional recommendations reflecting the 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 applicant's aggregate extraction operations are conducted under conditions of a Program Environmental Impact Report for aggregate removal from the Eel River that was adopted in July 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 CHERT, 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.