

May 2, 2006

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

**Mercer-Fraser Company
Gravel Mining Operations at Sandy Prairie/ Canevari Bars
WDID No. 1B02100WNHU**

Humboldt County

On July 11, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Mercer-Fraser Company requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for gravel mining operations at Sandy Prairie/ Canevari Bars located on the Eel River near Fortuna, Humboldt County. The proposed project 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 proposed project is located near Fortuna, California on the Main Stem Eel River, River Miles 10-12, at Sandy Prairie (APNs 200-352-03, 353-02 and 11, and 106-041-09) and at Canevari bar (APNs 200-341-02, 04, and 05). The Sandy Prairie and Canevari sites have an annual extraction of up to 270,000 cubic yards. The actual volume removed and the specific area of extraction within each gravel bar varies from year-to-year.

Gravel extraction activities consist of bar skimming and trenching by using a front-end loader or scraper. Dump trucks will remove gravel from the extraction site. Temporary bridge crossings will also be constructed at Sandy Prairie Bar, Canevari Bar, and Christian Bar for access to extraction sites. Until October 1, up to 200 cubic yards of extracted material may be temporarily stored on the gravel bars prior to loading. Stockpiled gravel on the bars will be removed on a daily basis after October 1 and gravel bars will be graded at the end of each day of operation activity. Up to 110 acres of the site at Canevari will be temporarily impacted. Up to 150 acres of the site at Sandy Prairie will be temporarily impacted. Potential impacts from gravel extraction activities include loss of channel stability; changes in deposition patterns, changes in width-to-depth ratio, and loss of scour potential, causing pool filling.

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. Extraction activities at the Sandy Prairie and Canevari Bars are authorized by LOP2004-1 through the 2008 extraction season. 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 after 22 July. Prior to operations, each gravel bar shall be thoroughly searched for nesting, foraging, and resting Snowy Plovers by a surveyor approved by the United States Fish and Wildlife Service.

Temporary bridge crossings will be constructed at Sandy Prairie, Canevari, and Christian bars for access to the extraction sites. Summer crossing installation and use at the extraction sites is allowed as early as June 15. Summer crossings must be removed by October 15 unless an extension is granted. 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 1. The applicant will implement mitigation and impact avoidance measures during the aggregate extraction processes, including maintaining and inspecting 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 of wet crossings, limiting the amount of haul roads providing access to the channel extraction areas, and using clean washed gravel and concrete blocks for construction of temporary crossings.

The applicant will implement Best Management Practices (BMPs) to minimize direct impacts to the channel. The BMPs include the use of existing roads and processing sites. All excavation machinery will be kept out of the low-flow and/or wetted channel at all times. When extraction sites are designated near an active channel, a one-foot minimum vertical offset from the surveyed low-flow channel water surface or a minimum horizontal offset must be incorporated, depending on site-specific locations. The offsets maintain the integrity of the channel and prevent extraction materials from entering the main or secondary channels.

The applicant will manufacture asphalt and concrete at this site, and indicates that the asphalt plant will use a baghouse for emissions control. Wastewater associated with concrete production will be discharged to a concrete lined basin and recycled through the plant. The applicant is enrolled for coverage under the NPDES General Permit to Discharge Stormwater Associated with Industrial Activity (WQ ORDER No. 97-03-DWQ).

In July 1992, the Humboldt County Board of Supervisors certified a Program Environmental Impact Report for gravel removal from the Lower Eel River (SCH # 1992013033); that document describes and analyzes the potential environmental effects resulting from 13 gravel removal operations located close to one another in the Lower Eel River watershed. The 13 projects include those located at both the Sandy Prairie and the Canevari bars. In October 1993, the Humboldt County Planning Commission issued a Final Supplemental EIR to the Program EIR for gravel extraction activities on the Canevari bar (operated by Canevari Timber Company at the time) (SCH # 1992103052). Regional Water Board permitting associated with this project will be conditioned, in part, upon compliance with the mitigation measures specified by the County in the above-referenced CEQA documents. In addition to conditions set forth by the Regional Water Board, the project is subject to regulatory review and project approval by the California Department of Fish and Game, Army Corps of Engineers, 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 may 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* (General WDRs) adopted by the Regional Water Board on June 21, 2005. Staff will consider all comments received during a 30-day comment period that begins on the first date of issuance of this letter, as well as all comments previously submitted regarding this project application. If you have any questions or comments, please contact Regional Water Board staff Diana Henrioulle by phone at (707) 576-2350, or email dhenrioulle-henry@waterboards.ca.gov

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