

July 27, 2006

**Public Notice for 401 Certification  
and/or  
Waste Discharge Requirements (Dredge/Fill Projects)  
  
Instream Gravel Bar Skimming and Revegetation Project  
Middle Reach of the Russian River  
Sonoma County, California  
(WDID# 1B98008WNSO)**

On November 18, 2005, the Regional Water Quality Control Board, North Coast Region (Regional Water Board) received an application from Syar Industries, Inc. (Syar) requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the for the Instream Gravel Bar Skimming and Revegetation Project (Project) located in the Middle Reach of the Russian River, Sonoma County, California. Additional information was received periodically since the application date, with the last submittal being on July 25, 2007. The Project will result in disturbance to the waters of the United States and State associated with gravel extraction and associated activities within the Russian River Hydrologic Unit No. 114.00.

Syar proposes to dredge two gravel bars including: (1) Bar 2, north bank of Russian River, at approximately river mile 33 (distance from the Pacific Ocean), and (2) Bar 13, west bank of Russian River, at approximately river mile 29, in the Middle Reach of the Russian River, near Healdsburg, California. The project is proposed to begin in late summer 2007 and end in October 2007. Syar proposes to mine approximately 57,848 cubic yards from Bar 2, with 1,542 cubic yards of this amount redeposited on the head of bar as per Scientific Review Committee requirements, and 77,000 cubic yards from Bar 13. Both bars were last mined in 2002 under the 1997 Environmental Impact Report/Environmental Impact Statement (EIR/EIS) certified by the State Mining and Geology Board (SMGB). Gravel extraction will be accomplished by skimming aggraded areas of each bar, defined by a plane starting one foot above the water level of the low flow channel (250-300 cfs) at the downstream end and extending longitudinally at approximately a 0.15 percent gradient up the bar until it intercepts the interior slopes of the buffer; the lateral limits of the plane are defined by a 2:1 slope along the riverbank and along the inside slopes of a buffer bordering the low flow channel.

Skimming operations will establish a final gradient devoid of isolated pockets or holes to minimize fish entrapment during subsequent high flow events. The total project area encompasses approximately 18.3 acres of gravel bars. No operations are proposed in the wetted stream, or below water level. An instream temporary crossing will be constructed at the south end of Bar 2, and will utilize gravel abutments and a 40 foot span over the river. This crossing will impact approximately 0.115 acres within the stream channel.

The SMGB is the lead agency under the California Environmental Quality Act and National Environmental Policy Act. An independent Scientific Review Committee (SRC) was established by SMBG to assess the impacts of the mining and reclamation activities proposed by Syar on its vested instream mining sites in the Middle Reach of the Russian River (State Mine ID# 91-49-0028). The SRC is to provide objective, science-based analysis, recommendations, and peer review of Syar's annual mining and reclamation plans. Syar is to revise the annual mining and reclamation plan, if necessary, to meet the requirements of other agencies and to incorporate the

recommendations of the SRC to help assure that adverse environmental impacts are minimized and performance standards are met. Sonoma County Permit and Resource Management Department (PRMD) will allow Syar to implement the mining and reclamation plans provided they include the SRC recommendations.

In addition to conditions set forth by the Regional Water Board, additional conditions are imposed by the County of Sonoma, California Department of Fish and Game, U. S. Army Corps of Engineers (ACOE), State Mining and Geology Board, National Marine Fisheries Service, and the recommendations made by the SRC.

Annual extensive monitoring is required including data gathering and reporting. The use permits issued by Sonoma County under the Aggregate Resource Management Plan (ARM) requires standard and site specific monitoring, including site inspections, full channel cross sections, and annual aerial photographs. Other monitoring and reporting is also required by other involved resource agencies.

The dredging activity will result in temporary impacts to the beneficial uses of the Russian River. Beneficial uses impacted include: Water Contact Recreation; Non-contact Water Recreation; Wildlife Habitat; Warm Freshwater Habitat; Cold Freshwater Habitat; and Water Quality Enhancement. Stormwater is impacted because of less vegetation and gravel quantity to provide filtering and treatment, and by impacts of transporting and processing of gravel products. Mitigation measures will include revegetation where riparian vegetation is removed as a result of the project, and shall follow SRC recommendations, and requirements of other involved resource agencies. Additional restoration is proposed on the southern bank of Dry Creek, approximately 500 yards from the confluence with the Russian River, on property owned by Syar Industries, Inc. The restoration plan is in draft form, and is envisioned to include restoration of the riparian zone from ordinary high water mark to up and over the top of bank. This is being done to account for impacts to water quality that occur during the gravel mining project that are not being mitigated for by the on-bar mitigation. Additionally, the restoration area will help to offset impacts to the failed on-bar mitigation after the mining that occurred in 2002. If there is excess mitigation that is not used for the above needs, it may be used appropriately for future projects by Syar. The Regional Water Board agreed to post this public notice before the final restoration plan is submitted, with the understanding that a complete plan will be submitted as soon as possible. Mr. James Syar submitted a letter of commitment on July 25, 2007, to do the restoration project, and to help the Regional Water Board coordinate a proactive educational effort with property owners along the Middle and Alexander Valley Reaches of the Russian River for future restoration opportunities. The proposed off-site restoration should help mitigate for impacted beneficial uses and other water quality impacts.

The following measures are proposed to be incorporated in the project to prevent, reduce or eliminate potential impacts, however additional measures may be outlined in the final permit:

- Issuance of future Dredge/Fill Projects will be dependent on review of all monitoring results. In addition, the Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) permit may be rescinded by the Regional Water Board if violations of the North Coast Regional Water Board's Water Quality Control Plan for the North Coast Region (Basin Plan) occur. Water quality monitoring will consist of turbidity monitoring upstream and downstream of the mining sites during the first flood event that results in flow over the mined

- areas. The exact monitoring locations and timing will be proposed by the applicant to the satisfaction and approval of the Executive Officer of the Regional Water Board.
- Mining plans and monitoring data submitted to the County of Sonoma PRMD, and the Department of Fish & Game, shall also be submitted to the Regional Water Board.
- The amount of gravel extracted under this certification action shall be based on annual aggregate replenishment rates as outlined in the ARM Plan and SRC recommendations.
- The extraction sites may be visited and assessed by Regional Water Board staff to document compliance with the certification.
- Extraction activities will comply with all provisions contained in the Basin Plan.
- All extraction operations, extraction techniques, reclamation activities, monitoring, project impact minimization measures, revegetation activities and terms of conditions will be implemented as described in the National Marine Fisheries Service Biological Opinion, the final Regional Water Board Order, the California Department of Fish and Game permit, Sonoma County permit, and SRC recommendations.
- Monitoring information received may necessitate modifying the conditions of the permit to provide an adaptive management approach. Conditions and requirements within the 401 Water Quality Certification may be changed/amended by the Regional Water Board within the time period that the 401 Water Quality Certification is issued. Changes may be initiated by factors such as: observations made by or reported to the Regional Water Board, or by recommendations made by the SRC. Such modifications will not require a new permit.

The SMGB, as the lead agency under the California Environmental Quality Act and National Environmental Policy Act, approved an EIR/EIS in December 1997.

The gravel extraction is scheduled to begin in summer 2007 and be completed in October 2007. Staff is 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. 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. This is a brief summary of this project; all related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Blvd., Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220. If you have any questions or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at [sbargsten@waterboards.ca.gov](mailto:sbargsten@waterboards.ca.gov) within 21 days of the posting of this notice.