

May 21, 2012

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

**Austin Creek In-Stream Gravel Extraction and
Lower Austin Creek Fishery Enhancement Project
Sonoma County (WDID # 1B12006WNSO)**

On January 25, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Steve Canelis, on behalf of Bohan & Canelis, requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Austin Creek In-Stream Gravel Extraction and Lower Austin Creek Fishery Enhancement Project (Project) located in Sonoma County. The proposed project causes temporary impacts to approximately 9 acres of streambed within, Lower Russian River hydrologic unit, Austin Creek hydrologic subarea No. 114.12. The Applicant has an existing Army Corps of Engineers Clean Water Act Section 404 permit that expires December 31, 2012. This Water Quality Certification will be issued to coincide with the expiration of the 404 Permit to synchronize both permits.

Bohan & Canelis Aggregates proposes to continue to mine gravel and install and maintain instream fish habitat structures within Austin Creek, Cazadero, Sonoma County.

PROJECT DESCRIPTION: The excavation and removal of up to 25,000 cubic yards of sand and gravel per year, for a total volume of 25,000 cubic yards of sand and gravel over a one-year period, from the lower reach of Austin Creek. The purposes of the project are to obtain a local source of aggregate material for construction uses and to improve salmonid habitat by increasing pool depth and complexity within the affected lower reach. Utilizing frontend loaders, bulldozers and haul trucks, excavators, and/or paddlewheel scrapers to perform this work, authorized work includes redepositing sand and gravel on the bars during routine excavation operations; temporary stockpiling of sand and gravel on the bars; deep-ripping of the bars to redress compaction; fine-grading of the bars to remove pits and depressions and to attain positive slopes for drainage; placing river-run boulders, quarry rock, and large woody debris on the bars and in the low-flow channel to enhance bridge pier and bank stability and pool scour.

Excavation work will utilize a method known as "horseshoe skimming" to minimize changes in bar geomorphology. Horseshoe skimming is essentially confined to the interior portion of the bar by establishing head and lateral buffer areas that remain undisturbed. In this context, the undisturbed head buffer begins at the upstream end of the bar and extends downstream to the vertical apex (the highest point on the bar). An undisturbed lateral buffer occurs between the outer edge of the bar and the low-flow channel equal in width to 25 percent of the widest portion of the bar. The width of the low-flow channel is defined by the flow at which a water depth of one (1) foot above riffle crests is observed. An undisturbed lateral buffer occurs along the outer bank measuring ten (10) feet in width from the toe-of-slope. The remaining interior portion of the bar may be skimmed down to a reference elevation equal to one (1) foot above the groundwater

table that occurs by 1 September of each year. In addition, the downstream 1/3 length of the bar may be excavated to a depth of four (4) feet below the groundwater table to create an alcove feature to increase habitat complexity for salmonids. This excavation work begins at the upstream end of the alcove and maintains a gravel plug at the downstream end to isolate the alcove work area from flowing water. Authorized discharges of dredged and fill material associated with pool excavation work establishes a pool depth of ten (10) feet, a pool width not exceeding 1/3 of the channel width, and a pool length not exceeding 1 and 1/2 of the channel width. The width of the channel is defined as the distance between the top-of-slopes of the outer banks. Details of the design are as described in National Marine Fisheries Biological Opinion, File 151422SWR03SR8613.

Project is located in a continuous reach, from approximately 1,940 feet up gradient of the confluence of Austin Creek and the Russian River, to a point approximately 4,820 feet upstream of the confluence. The estimated volume to be excavated on a yearly basis shall not exceed 25,000 cubic yards; however, the exact volume will be based on replenishment rates and allowable extraction rates as outlined in the Sonoma County Aggregate Resources Management Plan (SCARMP) and Mitigated Negative Declaration (August 2004). Additionally, habitat structures, including logs/root wads and boulders, have been installed within this reach of Austin Creek to help create habitat for salmonids. As the creek responds to the installation of habitat structures and changes its structure, the location, position and number of habitat structures need to be optimized.

No gravel skimming operations will take place in the wetted stream. Pool creation/enhancement may take place at or below water level. Buffer zones will separate the operational areas from the low-water channel. Horseshoe Skimming will generally progress from downstream to upstream and will not be conducted simultaneously at multiple sites. Two stream crossings will be utilized, with a maximum of one bridge in place at any time. No gravel will be extracted if there is insufficient replenishment above the baseline elevations that were established in 1995.

Compensatory mitigation is achieved through improvement of beneficial uses of Austin Creek. Beneficial uses and the methods used to achieve improvement, respectively, are:

- Cold Freshwater Habitat by creating and increasing depth of pools. Water temperature within the created/deepened pools has decreased due to entrance of cooler bar underflow into the deeper pools. Installation of log and boulder structures increases complexity and pool scour, and thus improves habitat.
- Migration of Aquatic Organisms has been improved by providing a low flow channel and deepened thalweg. Previously, migration and fish passage was hampered by lack of a well formed low flow channel.
- Spawning may have been improved by increase in fish passage.

Additional compensatory mitigation, such as bank stabilization using bioengineering techniques and/or revegetation, may be necessary if conditions develop from gravel skimming/mining activities that warrant this mitigation, or if deemed necessary by regulatory agencies.

Non-compensatory mitigation: Upon completion of the skimming activities, areas disturbed by the mining operations shall be graded to ensure that no pits or depressions are left where fish entrapment may occur. Gravel extraction will cease by October 15. Temporary crossings shall be constructed using temporary bridges with gravel approach ramps that use only clean gravel, which will reduce the potential of turbid discharges to the river. Equipment will not be operated in the flowing river except as may be necessary to construct stream crossings. Any equipment entering the active stream will be preceded by an individual on foot to displace fish and wildlife. Appropriate sediment control measures will be implemented to ensure that in stream turbidity levels do not exceed water quality standards contained in the Water Quality Control Plan for the North Coast Region. Riparian vegetation growing along the perimeter of, or as dense stand on each bar or on the outer bank, will not be removed or otherwise disturbed. The landowner has developed, and agreed to a Department of Fish and Game (DFG) and National Marine Fisheries Service (NMFS) management plan for the project area. Cross section surveys of the channel will be completed and provided to all reviewing agencies by February 1st of the following year. 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 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. The Annual Extraction Plan and the Fishery Enhancement Plan shall be submitted to the Regional Water Board, and approval by the Executive Officer must be granted in writing to applicant before mining and/or restoration activities can commence.

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 in effect. 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, or other agencies. Such modifications will not require a new permit.

The applicant has received a California Department of Fish and Game 1600 Streambed Alteration Agreement, Expiring on December 31, 2014, Notification Number: 1600-2009-0143-3.

Applicant has received a United States Army Corps of Engineers Individual Permit, File Number 2001- 263670N, that expires on December 31, 2012.

The gravel extraction and fishery enhancement work is scheduled to begin in summer 2012 and be completed in October 2012.

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. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Stephen Bargsten at (707) 576-2653 within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the applicant's proposed Project activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project including maps and design drawings. The related documents are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.