

April 10, 2015

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

**Eureka Sand and Gravel Company –Mad River Aggregate Extraction
at Emmerson, Christie, Johnson, Johnson/Spini, and O’Neill Bars
WDID No. 1B05068WNHU**

Humboldt County

On March 25, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received a letter requesting reissuance of Federal Clean Water Act, section 401, Water Quality Certification (Certification) and/or Waste Discharge Requirements (Dredge/Fill Projects) from the Eureka Sand and Gravel Company (Applicant) to continue annual gravel (river-run aggregate) removal activities on the Emmerson, Christie, Johnson, Johnson/Spini, and O’Neill Bars of the Mad River. On December 29, 2011, the Regional Water Board issued a Water Quality Certification for the past proposed activities which expires June 15, 2015. No operational changes are being proposed and the proposed project sites for river-run aggregate removal remain unchanged. The future proposed activities will cause disturbances to waters of the United States associated with the Mad River in the Mad River Hydrologic Area No. 109.00. No permanent impacts to waters of the U.S. and the State are proposed. All proposed impacts to waters, from the extraction of river run aggregates, are considered temporary.

The Applicant’s Mad River aggregate extraction operations impact five separate gravel bars. The Emmerson Bar (40.873 N/123.991 W) covers approximately 80 acres and is located approximately 0.3 miles upstream of the Hatchery Road Bridge over the Mad River. The Christie Bar (40.892 N/124.018 W) is approximately 175 acres located south of Glendale. The Johnson Bar (40.893 N/124.020 W) covers approximately 40 acres and is located approximately one mile downstream of the Blue Lake Bar near Glendale. The Johnson/Spini Bar (40.913 N/124.065 W) is located immediately downstream of the Highway 299 bridge over the Mad River. The O’Neill Bar (40.910 N/124.075 W) is located just downstream of the Johnson/Spini Bar and adjacent to the Applicant’s concrete batch plant facility on Boyd Road in Arcata. The Johnson/Spini Bar and O’Neill Bar total approximately 90 acres. Aggregate extraction operations at the Christie Bar, Johnson/Spini Bar, and O’Neill Bar typically cover up to 12 acres, 10 acres and 2.5 acres, respectively. The combined maximum volume of aggregate authorized for extraction from all of these bars combined is 78,900 cubic yards annually. Annual aggregate extraction operations at the Emmerson and Johnson bars will typically disturb 15 acres or less. The maximum annual volume of aggregate authorized for extraction from these two bars is 30,000 cubic yards annually. The actual volume removed and the specific areas of extraction vary from year-to-year but may not exceed the maximum limits authorized by the Certification. Gravel removal activities are expected to continue following proposal approval by other local, state, and federal permits.

River-run aggregate is removed using scrapers, dozers, excavators, loaders, and dump trucks. The permitted aggregate extraction season is typically from June 1 to October 15 or until river conditions indicate all gravel operations shall cease prior to imminent inundation of the gravel bar, whichever comes first. Agencies may agree to grant an extension of the extraction season. Temporary crossing installation and use is typically allowed between June 30 and October 15. Temporary crossings are located to avoid potential fish spawning, holding and rearing habitat. Appropriate crossing locations are typically shallow low-velocity waters located away from riffle crests and pools. Temporary crossings will typically consist of two railroad flatcars placed on abutments. Abutments may consist of brow logs, concrete blocks, concrete K-rails, native gravel or washed rock, or other methods that provide a high level of protection from turbidity impacts. All temporary crossings must be removed no later than October 15.

Temporary stockpiling of excavated material within the limits of the extraction area is allowed through October 1. Stockpiles must be removed above Ordinary High Water on a daily basis after October 1 and disturbed gravel bar areas must be graded at the end of each day. The Applicant hauls aggregate materials to a processing facility adjacent to Christie Bar. The Applicant also operates a concrete batch plant adjacent to O'Neill Bar in Arcata.

After the Applicant has removed the aggregate to the approved extraction design lines and grades, the extraction area is re-graded as necessary to leave no depressions or berms that may potentially trap fish or cause impacts to surrounding habitats. The Applicant's consultant will conduct a site visit at the conclusion of extraction operations and provide any additional recommendations reflecting seasonal extraction plans and reclamation plan conformity. When the final surfaces of the site are graded for seasonal reclamation, the operator may remove the summer crossings and leave the bankfull channel area to the natural reclamation process, which occurs during the high-flow events of the following winter. The Applicant will implement impact avoidance measures during the aggregate extraction processes including; maintenance and inspection of 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 wet crossings, and limiting the amount of haul roads providing access to the extraction areas.

The Applicant shall obtain authorization from the U.S. Army Corps of Engineers (USACE) to perform the proposed project activities under Individual Permit (Permit No. 2015-1) pursuant to Clean Water Act, section 404. The USACE may regulate the Applicant's future aggregate extraction activities under Individual Permit, LOP 2015-1, a new LOP procedure, or by Letter of Modification. The Applicant shall obtain a Lake or Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW). These agencies and the County of Humboldt Extraction Review Team (CHERT) require monitoring, data gathering, reporting, site inspections, channel cross section surveys, and aerial photo review.

The Applicant conducts aggregate extraction operations under conditions of the Program Environmental Impact Report (PEIR) for Gravel Removal from the Lower Mad River. The CDFW, as a responsible California Environmental Quality Act agency, filed Notice of Determinations for Supplemental PEIRs for the Johnson/Spini and O'Neill Bars on June 14, 2006, and the Christie Bar on June 27, 2006. On April 2, 2009, Humboldt County Department of Community Development Services, as lead agency for CEQA, completed a Final Supplemental to the PEIR (SCH# 1990283049) and filed a Notice of Completion with the State Clearinghouse on April 7, 2009. The Regional Water Board has considered the environmental documents and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.

The information contained in this public notice is only a summary of the Applicant's proposed activities. The Application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed activities including site maps and cross-sections. The Applicant's 2010 application and Regional Water Board file are available for public review.

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 (hard copy) and received at this office by mail or direct delivery, or by email to NorthCoast@waterboards.ca.gov during a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Jake Shannon at (707) 576-2673 within 21 days of the posting of this notice.