

via email

Dear Mr. Sotak:

On behalf of Friends of the Gualala River (www.gualalariver.org; FoGR), I am inquiring again about the current status of county, state, and federal authorizations for gravel mining operations currently in progress at Valley Crossing (Annapolis Road, Twin Bridges, at and below confluence of Wheatfield and South Forks), Gualala River, South Fork, Sonoma County.

The FoGR steering committee has received a report that at least one earthen road crossing has been constructed across the main low-flow channel of the Gualala River, with multiple culverts and a partial impoundment of the river behind it, where diesel pumps operate on the emergent gravel channel bed to fill tank trucks. At least two intake structures and pipes (hoses) are reported from the main channel, leading to tank trucks at channel-side sites for filling. Marker flags have been placed on gravel bars. It appears that gravel extraction and water diversion are in progress. This reach is reported to support juvenile steelhead this summer.

We would like to inquire again about the status of authorization for the channel work and diversions, specifically:

(1) Have water rights for these diversions been granted by the Division of Water Rights, State Water Resources Control Board, for the intake structures and truck tank filling? Is the County coordinating with the Division regarding intakes for water diversion at this location?

(2) Has the County coordinated with National Oceanic and Atmospheric Administration (NOAA) Fisheries to ensure that authorization for potential take of steelhead has been obtained?

(3) Is the earthen fill for the road crossing verified by the Corps of Engineers to be authorized by Nationwide Permit(s) or other permits, given the presence of steelhead in the channel near the points of water intake and partial impoundment? What is the status of the Corps permit application Mr. Schiltgen referred to?

(4) Has the county authorized the current gravel mining, and completed CEQA that covers the current activity, after the previous permit expired in May? What is the regulatory status of a “grace period”? Does “grace period” mean temporary, conditional discretionary non-compliance with County plans, policies, and regulations, or CEQA? If there are conditions and reporting requirements for the current "grace period" of operation, are they coordinated with resource agencies and enforced by the County?

We have been expecting some form of public notice and public environmental review of gravel mining for the Gualala River, comparable with the North Coast regional gravel mining permit (multiple state and federal agencies; Corps of Engineers and Humboldt County, lead agencies). We are also interested in reviewing monitoring plans and monitoring reports for gravel mining and water diversions on the Gualala River.

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We believe that it should be feasible to develop appropriate studies, environmental assessments, and appropriate permit conditions that may enable gravel mining to occur at appropriate locations of the Gualala River with minimal environmental impact.

Unfortunately, we have seen to date no evidence of due diligence in the County's pursuit of well-regulated gravel mining on the Gualala River. We seek the opportunity to work with the County to ensure that gravel mining here is properly authorized, reviewed, and mitigated with "state of the art" scientifically sound best management practices for the North Coast.

The FoGR steering committee would appreciate your prompt reply. Thank you for your assistance.

Sincerely,

Peter R. Baye, Ph.D.
Vice President,
Friends of the Gualala River