

Notice of Determination

TO: Office of Planning and Research **FROM:** Department of Fish and Wildlife
 Northern Region
 619 Second Street
 Eureka, CA 95501
 Contact: Jonathan Hollis
 Phone: (707) 601-7237

For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

Street Address:
 1400 Tenth Street
 Sacramento, CA 95814

LEAD AGENCY (if different from above):
 County of Humboldt
 Planning and Building Department
 3015 H Street
 Eureka, CA 95501
 Contact: Joshua Dorris
 Phone: (707) 268-3779

SUBJECT: Filing of Notice of Determination pursuant to § 21108 of the Public Resources Code
 State Clearinghouse Number: 2016082006

Project Title: Lake or Streambed Alteration Agreement No. EPIMS-HUM-50199-R1C – Willow Creek Bar Gravel Extraction Project.

Project Location: The project is situated on the Trinity River, a tributary to the Klamath River and the Pacific Ocean. The project is located in County of Humboldt, State of California; Section 29, Township 7 North, Range 5 East, Humboldt Base and Meridian; Willow Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor’s Parcel Numbers 522-142-010, 522-145-004, 522-145-006, 522-491-004, 522-491-015, 522-491-016, 522-491-017, 522-491-020, 522-491-021, and 522-491-023; latitude 40.955 N and longitude 123.638 W.

Project Description: The project is limited to one encroachment for aggregate extraction from the Willow Creek Bar (Mine ID 91120007), Trinity River for commercial purposes. The gravel extraction volume approved by the County of Humboldt (CUP-16-013/SMP-16-002/RP-16-002/SP-16-024) is 40,000 cubic yards of gravel annually. Over the last five years (2019 through 2023), no extraction occurred.

Aggregate extraction consists of removal of deposited alluvial material using heavy equipment (e.g., front-end loaders, excavators, bulldozers, and dump trucks) from outside the Trinity River wetted-channel. Aggregate extraction methods and volumes shall be consistent with approved annual pre-extraction work plans. Extraction occurs during the summer low-flow period when alluvial deposits are exposed. Fisheries- and riparian-enhancement or off-channel extractions may be included annually and involve connection of extraction areas to the wetted channel. In some years, a temporary crossing of a wetted secondary channel may be needed to access the gravel bar. Timing of the installation and removal of this crossing is conducted to avoid periods of peak flows, salmonid migration and spawning, other aquatic organisms, and requires annual coordination with – and approval from – CDFW scientific staff. Crossings are also designed to minimize the extent of channel disturbance, avoid sensitive aquatic habitat, and provide fish passage if an unexpected rise in flow occurs.

This is to advise that the Department of Fish and Wildlife (CDFW), acting as **the lead agency** / **a responsible agency** approved the above-described project and has made the following determinations:

1. The project **will** / **will not** have a significant effect on the environment. (This determination is limited to effects within CDFW’s jurisdiction when CDFW acts as a responsible agency.)
2. **A program environmental impact report** / **A negative declaration** / **A timber harvesting plan** was prepared for this project pursuant to CEQA.
3. Mitigation measures **were** / **were not** made a condition of CDFW’s approval of the project.
4. A Statement of Overriding Considerations **was** / **was not** adopted by CDFW for this project.
5. Findings **were** / **were not** made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
6. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 Payment is submitted with this notice.

- A copy of a receipt showing prior payment is on file with CDFW.
- A copy of the CEQA Filing Fee No Effect Determination Form signed by the Department is attached to this notice.
- Lead Agency certification: CDFW, as Lead Agency, has made the final PEIR with comments and responses and record of project approval, or the Negative Declaration, available to the General Public at the CDFW office identified above.
- Responsible Agency statement: The final PEIR that was prepared by the Lead Agency for this project is available to the General Public at the office location listed above for the Lead Agency. CDFW's CEQA Findings are available at the CDFW office identified above.

Signed:

Michael van Hattem

Date: 10/17/2024

Michael van Hattem, Senior Environmental Scientist (Supervisor)

Date Received for filing at OPR: