

Notice of Determination

TO: Office of Planning and Research **FROM:** Department of Fish and Game
Northern Region
601 Locust Street
Redding, CA 96001
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):
Humboldt County Planning Department
3015 H Street
Eureka, CA 95501
Contact: Michael Wheeler
Phone: (707) 268-3730

SUBJECT: Filing of Notice of Determination pursuant to § 21108 of the Public Resources Code

State Clearinghouse Number: **1992013033**

Project Title: Lake or Streambed Alteration Agreement No. EPIMS-HUM-27698-R1 Noble – Van Duzen River Ranch Gravel Extraction Project

Project Location: The project is located on the Van Duzen River, a tributary to the Eel River, thence the Pacific Ocean. The project is in County of Humboldt, State of California; Sections 20, 27-30, 32 and 33, Township 2 North, Range 1 East, Humboldt Base and Meridian; Hydesville U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 201-101-003, 204-111-009, 204-101-026, 204-111-011, 204-063-013, 204-063-014, 204-063-011, 204-071-005, 204-071-006, 204-071-010; latitude 40.5275 N and longitude 124.0920 W.

Project Description: The project is limited to one encroachment for aggregate extraction from the channel of the Van Duzen River for commercial purposes. On September 5, 2019, the proposed Surface Mining and Conditional Use permits SMP-15-002 and CUP-15-003 and Reclamation Plan RP-15-003 were re-issued for a period of 15 years. Consistent with those parameters set forth in the County permit, the Permittee proposes to extract up to 100,000 cubic yards of gravel, rock, and sand annually from bars along a two-mile stretch of the Van Duzen River near its confluence with Yager Creek. Aggregate extraction consists of removal of flood-washed alluvial material using heavy equipment (e.g., front-end loaders, excavators, bulldozers, and dump trucks) from outside the wetted-channel of the Van Duzen River. Aggregate extraction methods and volumes shall be consistent with approved annual extraction work plans. Extraction occurs during the summer low-flow period when alluvial deposits are exposed. Fisheries- and riparian-enhancement or off-channel extractions are included annually and may involve connection of extraction areas to the wetted channel. Temporary crossings of the wetted channel may be needed to access gravel deposits. Timing of the installation and removal of these crossings is conducted to avoid periods of peak flows, salmonid migration and spawning, other aquatic organisms, and requires coordination with CDFW scientific staff. Crossings are also designed to minimize the extent of channel disturbance and avoid sensitive aquatic habitat.

This is to advise that the Department of Fish and Game (DFG), 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 DFG's jurisdiction when DFG acts as a responsible agency.)
2. **An 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 DFG's approval of the project.
4. A Statement of Overriding Considerations **was** / **was not** adopted by DFG for this project.
5. Findings **were** / **were not** made by DFG pursuant to Public Resources Code § 21081(a). DFG 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 DFG.

- A copy of the CEQA Filing Fee No Effect Determination Form signed by the Department is attached to this notice.
- Lead Agency certification: DFG, as Lead Agency, has made the final EIR with comments and responses and record of project approval, or the Negative Declaration, available to the General Public at the DFG office identified above.
- Responsible Agency statement: The final EIR, Negative Declaration, or THP 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. DFG's CEQA Findings are available at the Eureka DFG office located at 619 Second Street, Eureka, California, 95501.

DocuSigned by:



Signed: _____

Date: 09/03/2022 _____

B5D12FCE84324AF
Rebecca Garwood
Environmental Program Manager
Northern Region Coastal Habcon

Date Received for filing at OPR: