

Notice of Determination

TO: Office of Planning and Research **FROM:** Department of Fish and Game
 Northern Region
 619 2nd Street
 Eureka, California 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):
 Humboldt County Planning Division
 3015 H Street
 Eureka, CA 95501
 Contact: Joshua Dorris
 Phone: (707) 2683779

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-49846-R1 Worswick Bar Instream Gravel Mining Project

Project Location: The project is situated on the Eel River, a tributary to the Pacific Ocean. The project is located in County of Humboldt, State of California; Section 28, Township 3 North, Range 1 West, Humboldt Base and Meridian; Fortuna U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 200-321-011; latitude 40.6074 N and longitude 124.1907 W.

Project Description: The project is limited to one encroachment for aggregate extraction from the channel of the Eel River for commercial purposes. The Permittee proposes annual extraction not to exceed 25,000 cubic yards. Over the last five years (2019 through 2023), Humboldt County Public Works performed only a single annual extraction in 2020, for a total volume of 17,268 cubic yards.

Aggregate extraction consists of removal of flood-washed alluvial material using heavy equipment (e.g., front-end loaders, excavators, bulldozers, and dump trucks) from the channel of the Eel 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 may be included annually and 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. A supplemental 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 SEIR 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 DFG office identified above.

DocuSigned by:

Michael van Hattem

Signed:

689BB18539B6406

Michael van Hattem
Senior Environmental Scientist Supervisor
Northern Region

Date: 8/29/2024

Date Received for filing at OPR: