

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: 1996052013

Project Title: Lake or Streambed Alteration Agreement No. EPIMS-HUM-47802-R1C – Rock Bar Gravel Extraction Project.

Project Location: The project is situated at the confluence of the Van Duzen and Eel rivers, tributary to the Pacific Ocean. The project is located in County of Humboldt, State of California; Sections 23 and 24, Township 2 North, Range 1 West, Humboldt Base and Meridian; Fortuna and Hydesville U.S. Geological Survey 7.5-minute quadrangles; Assessor's Parcel Numbers 201-261-009, 205-121-001, 201-262-012, 201-311-018, 205-121-002, 205-121-003, 205-151-001, 205-151-004, 205-191-001; latitude 40.5394 N and longitude 124.1468 W.

Project Description: The project is limited to one encroachment for aggregate extraction from the channel of the Van Duzen River and Eel River for commercial purposes. The gravel extraction volume approved under the Conditional Use Permit and Reclamation Plan issued by the County of Humboldt is 100,000 cubic yards of gravel annually from the Rock Bar. Over the last five years (2019 through 2023), annual extraction volumes averaged approximately 59,000 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 Van Duzen River and Eel River channels and adjacent areas. 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 and reshaping of the low flow channel to enhance passage conditions. Often, the channel at Rock bar lacks surface flow during the extraction season, however, temporary crossings of the wetted channel may be needed to access gravel deposits in wet years, or years when seasonal precipitation events cause surface flow to re-occur. If the channel becomes "re-wetted" during operations, the Permittee shall immediately contact CDFW to coordinate the installation of temporary crossings. 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 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: 5/30/2024
689BB18539B6406
Michael van Hattem, Senior Environmental Scientist (Supervisor)

Date Received for filing at OPR: