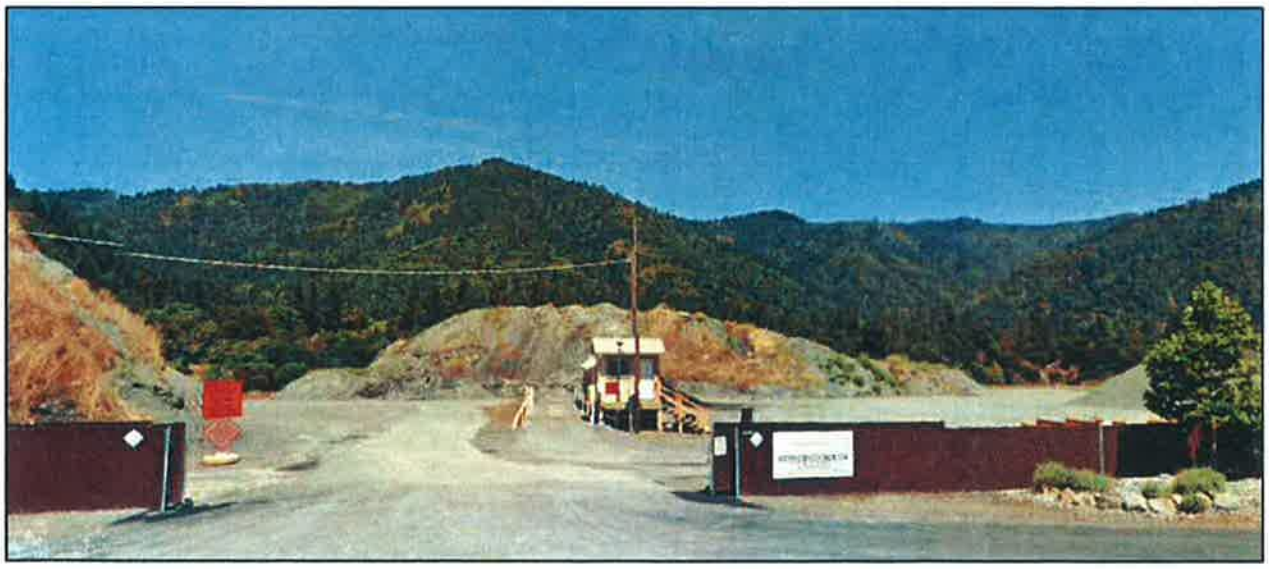
HUMBOLT COUNTY
PLANNING AND BUILDING DEPARTMENT

Mercer Fraser Willow Creek Mining Operation: Renewal of a Conditional Use Permit and Mining Plan/Reclamation Plan and Amendment Project

RECIRCULATED SUBSEQUENT NEGATIVE DECLARATION
SCH#: 2016082006



January 2017

1. **Project title**: **Mercer Fraser Co. Willow Creek Mining Operation;** APN **522-142-10 et al.** (Willow Creek area); SMP-16-002/CUP-16-013/RP-16-002/SP-16-025

2. **Lead agency name and address**: Humboldt County Planning and Building Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446

3. **Contact person and phone number**: Michael Wheeler, Senior Planner (707) 445-7541

4. **Project location**: The project site is located in Humboldt County, on the east side of Highway 96 approximately 1/2 mile north of Willow Creek.

5. **Project sponsor's name and address**:

APPLICANT	**OWNER(S)**	Daryl Mason	**AGENT**
Mercer Fraser Co.	Six Rivers National	2636 Jacoby Creek Rd	Mark D. Harrison
P O Box 1006	Forest, P O Box 68	Bayside, CA 95524	980 9th Street
Eureka, CA 95502	Willow Creek 95573	822-7291	Sacramento, CA 95814
443-6371 v.	(530) 629-2118		916-706-2575
443-0277 fax			916-382-4380

6. **General plan designation**: Public Lands / Commercial Recreation / Agricultural Rural / Flood Plain (P, AR, CR, FP)

7. **Zoning**: Flood Plain / Agricultural Exclusive / Highway Commercial Services (AE, FP, CH)

8. **Description of project**: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or on-site features necessary for its implementation. Attach additional sheets if necessary.)

A 15-year permit term renewal for a previously approved gravel mining and processing operation which has been permitted and operating since 1969. The project includes a Conditional Use Permit extension, Special Permit extension, Reclamation Plan review, and review of financial assurance cost estimates for a surface mining and processing operation involving the annual extraction of 40,000 cubic yards of sand and gravel from Trinity River gravel bars at the extraction site over a 15-year period. The method of surface rock removal involves skimming with loader, scraper and excavator. Aggregate materials are temporarily stockpiled and loaded on to trucks or off-road haulers and then transported to the existing adjacent processing site or to off-site locations. Processing operations involve material crushing and/or sorting; on-site storage of materials; production of asphalt; and weighing and hauling by truck. Site improvements existing at the southern portion of the processing site include a hot mix asphalt plant, rock crusher, screen, settling basin, gate, office, and scales. The existing mining operation is currently permitted by a Conditional Use Permit and Special Permit (CUP/SP) (CUP-19-88X/SP-25-99X) for seasonal extraction of up to 40,000 cubic yards of material per year, with operations being served by an on-site processing facility. This operation has been permitted and operating since 1969. The current CUP/SP and Reclamation Plan were previously renewed in 2003 for 15-year terms, and will expire in 2018. The renewal of the CUP/SP and Reclamation Plan is allowed per the County Surface Mining Ordinance for an additional 15 years beginning in 2018. The proposed amendment to the current CUP/SP is to allow for a concrete batch plant at the existing processing facility. As part of the renewal of the CUP/SP and Reclamation Plan, all existing mining operations and reclamation would continue as currently approved and permitted. As such, the analysis within this document focuses on the environmental effects of the proposed addition of a concrete batch plant, but continues the mitigations measures identified in the previous Mitigated Negative Declaration for continued operations under the Surface Mining Permit. The proposed project would: 1) renew the existing CUP/SP and Reclamation Plan for a 15-year term beginning 6-3-2018, and 2) amend the current CUP/SP to allow for a concrete batch plant at the existing processing facility. All existing operations and mining would continue as currently approved and permitted, with the exception of the proposed concrete batch plant. Under the previous permit, hours of operations were restricted to daylight hours Monday through Saturday, generally 7:00 am to 6:00 pm.

9. **Surrounding land uses and setting**: Briefly describe the project's surroundings:

Primarily Rural Residential and Agriculture; Six Rivers National Forest lands make up part of the project site and surrounding area and has designations of Recreation and Public Facility; some adjacent lands are Industrial or Commercial. Existing uses across Highway 96 from the proposed concrete batch plant include the Trinity Valley Elementary School, a CalTrans Maintenance Yard, Six Rivers National Forest offices, and some medical offices.

10. **Other public agencies whose approval is required** (permits, financing, or participation agreement.)

Regional Water Quality Control Board (401 Certification or Waiver), North Coast Air Quality Management District (possible permit required), California Department of Conservation, Division of Mines and Geology (Reclamation Plan and Financial Assurance Approval), California Department of Fish and Game (streambed alteration agreement)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒ Aesthetics	☐ Agriculture Resources	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☒ Hazards & Hazardous Materials	☒ Hydrology / Water Quality	☒ Land Use / Planning
☐ Mineral Resources	☒ Noise	☐ Population / Housing
☐ Public Services	☐ Recreation	☒ Transportation / Traffic
☐ Utilities / Service Systems	☒ Mandatory Findings of Significance	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A SUBSEQUENT MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project COULD have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	January 11, 2017 Date
Michael Wheeler, Senior Planner Printed name	HCP&BD For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take into account the whole action involved, including off-site was well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addresses. Identify which effects from the above checklist were within the scope of and adequately analyze in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated,:" describe the mitigation measures which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plan, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

   a.) Reclamation Plan for Quarry

   b.) Plan of Operations for Quarry

   c) Project maps and figures

   d) Non-Industrial Timber Management Plan

   e) Conditional Mitigated Negative Declaration for CUP-11-91, the previous surface mining conditional use permit issued for the project site, and adopted 7-30-91.

8) This is only a suggested form, and lead agencies are free to use different formats, however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue identify:

   a) The significant criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

BACKGROUND AND INTRODUCTION

This Initial Study/Subsequent Negative Declaration (IS/SND) identifies and analyzes the potential environmental impacts of the proposed project. The information and analysis presented in this document is organized in accordance with the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines.

This IS/SND relies on, and incorporates by reference herein, the Mitigated Negative Declaration certified by the County on June 26, 2003 ("2003 MND"). The 2003 MND was prepared for the previous 15-year renewal of the CUP/SP and Reclamation Plan Extension.

The environmental setting and impact discussion for each section of this IS/SND are based on existing information for the project site, the 2003 MND, and information in the Humboldt County General Plan and associated Environmental Impact Report (EIR).

PROJECT DESCRIPTION

The proposed project site existing conditions and surrounding land uses are described below, as well as the components of the project.

Existing Site Conditions and Surrounding Uses

The existing project site is located in Humboldt County, one-half mile north of Willow Creek, on the east side of State Highway 96, north of State Highway 299 (see Figure 1, Regional Location Map, and Figure 2, Project Vicinity Map). The site is located on the western banks of the Trinity River near the intersection of

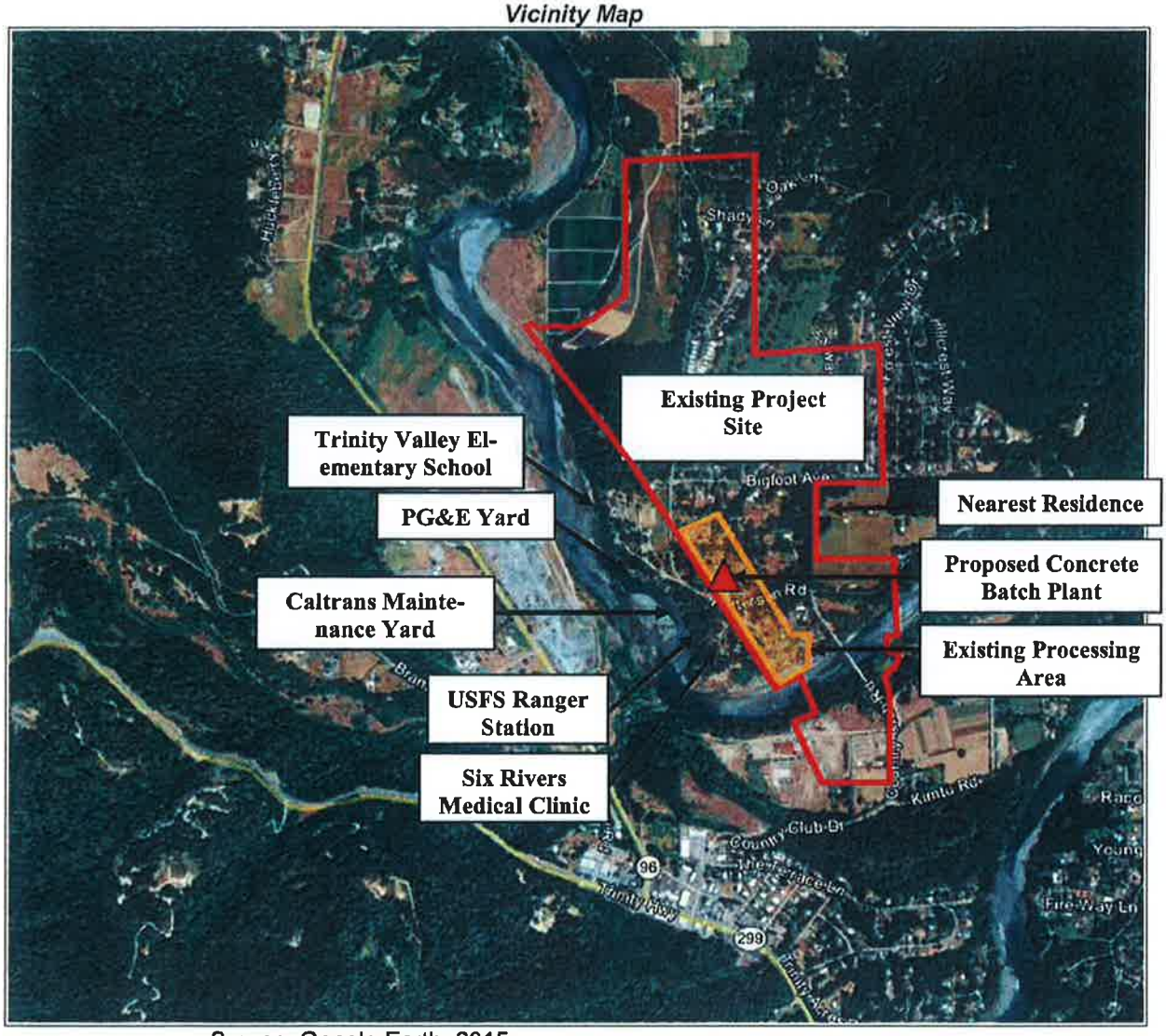
State Highway 96 and Brennan Mountain Road. As could be seen in Figure 2, an airstrip is located on the project site for emergency purposes. Vehicular access to the site is provided via an entrance along State Highway 96 and a private gravel access road with a minimum width of 16 feet and turnouts. The private road is also utilized for access to the airstrip by the California Department of Forestry and Fire Protection (CAL FIRE) and the U.S. Forest Service (USFS), as well as for emergency medical transport services.

The existing General Plan land use designations for the site are Commercial Recreation (CR), Public Lands (P), and Willow Creek Community Plan (WCCP). The current County zoning designations are Flood Plain (FP), Agriculture- Exclusive (AE), and Highway Service Commercial (HC). As shown in Figure 2, existing land uses opposite State Highway 96 from the project site include Trinity Valley Elementary School, a Caltrans maintenance yard, a Pacific Gas and Electric (PG&E) yard, a USFS ranger station, and Six Rivers Medical Clinic. An existing single-family residence is located approximately 1,200 feet from the project site, across the Trinity River. Six Rivers National Forest has a public boat ramp adjacent to the project area. The proposed General Plan Update land use designation for the project site is industrial IG (Industrial General) and IR (Industrial Resource Related).

Figure 1
Regional Location Map

Source: Google Earth, 2015.

Figure 2
Vicinity Map



Source: Google Earth, 2015.

The existing project site consists of an active and fully permitted sand and gravel mine site and processing facility on a total of approximately 228 acres on either side of the Trinity River (Assessor's Parcel Numbers 522-142-10; 522-145-04 and -06; 522-491-04, -15, -16, -17, -20, -21, and -22). Mining and processing operations have been ongoing at the project site since originally approved in 1969. The existing CUP/SP (CUP-19-88X/SP-25-99X) permits the continuation of the historical uses at the site, and currently allows for an annual extraction and production of up to 40,000 cubic yards of material per year, which occurs during the peak construction season (e.g., summer months) on an as-needed basis. The current permit and Reclamation Plan were issued in 2003 for a 15-year term and will expire in 2018. These existing operations constitute the baseline for the renewal of the CUP/SP and Reclamation Plan. These operations will continue as currently permitted upon renewal of the existing entitlement. Accordingly, the renewal of the CUP/SP and Reclamation Plan will not have any potential impacts on the environment.

Existing surface mining activities at the project site include surface rock removal consisting of skimming the site with a loader, scraper, and excavator. Processing activities take place on an upland terrace portion of the project site, outside and west of the active channel of the Trinity River. Current processing operations include material crushing and sorting, on-site storage of materials, production of asphalt, and

weighing and hauling by truck. Aggregate materials mined at the site are temporarily stockpiled on-site, loaded onto trucks or off-road haulers, and transported to the on-site processing facility (e.g., for crushing and use in the hot mix asphalt plant) or to off-site locations for further processing (e.g., to existing concrete batch plants in the County). Power loaders, excavators, bulldozers, rock crushers, screens, trucks and trailers, scrapers, truck scale, pumps, settling basin, gate office, and a hot mix asphalt plant are all currently authorized to operate on the project site. Current hours of operation are 8:00 am to 5:00 pm Monday through Friday for Processing Activities, 7:00 am to 5:00 pm Monday through Saturday for Extraction Activities, and 7:00 am to 5:00 pm for the Asphalt Batch Plant. In addition, the Asphalt Batch Plant runs 10 Saturday per year with the same hours of operation (7:00 am to 5:00 pm).

During the active periods of extraction and processing, which coincide with the construction season, typical operations at the project site currently generate approximately 100 off-site truck trips per day. However, depending on market demand, the project has generated a maximum of 200 truck trips per day. Conversely, minimal truck trips are typically generated during off-season months.

Project Components

The proposed project includes: (1) renewal of the current CUP/SP and Reclamation Plan for 15 years, beginning the when the current terms expire in 2018; and (2) amendment of the CUP/SP to allow for a concrete batch plant at the existing processing facility. The proposed project would not modify the current productions levels, materials to be mined, mining method, and the overall geographic area covered by the existing use permit and Reclamation Plan. The overall production and processing activities on the project site would be consistent with existing conditions, with the exception of introducing a concrete batch plant and ancillary equipment. The concrete batch plant would be placed within the currently permitted boundaries of the existing facility alongside other existing processing equipment. While the renewal of the existing CUP/SP and Reclamation Plan is allowed upon the applicant submitting the appropriate forms and fees, amendment of the existing CUP/SP would require approval by Humboldt County.

The existing Reclamation Plan for the project site identifies ongoing reclamation on a yearly basis at the extraction site. Specifically, the Reclamation Plan states that extraction areas in the active channel are left in a reclaimed condition at the end of extraction each year and will be consistent and homogeneous with the upstream and downstream topography. The Reclamation Plan further states, regarding the processing facility that the process site is to continue as Industrial lands, and that reclamation of the processing site is not appropriate. While the site is not currently planned and zoned for industrial use, the land use designation is proposed to be changed to industrial under the General Plan Update, given the long term use of the site for industrial purposes. Therefore, if extraction activity were to cease, additional reclamation would not be necessary as the access roads would remain for property access and management activities and the river area would be utilized for open space purposes. Because the Reclamation Plan provides for ongoing reclamation until such time that mining activities cease and does not pertain to the processing facility location, the proposed project would not require any changes to the existing Reclamation Plan, other than a 15 year extension beginning in 2018.

Permit and Reclamation Plan Term Renewal

The proposed project includes renewal of the current CUP/SP and Reclamation Plan for 15-year terms, beginning in 2018. Renewal of the CUP/SP and Reclamation Plan is allowed by right per the existing Conditions of Approval, specifically Operation Restriction number 3 as follows:

3. The terms of this conditional use permit and reclamation plan shall be the fifteen (15) years from the effective date. The applicant may renew the use permit and/or reclamation plan by submitting appropriate forms and fees in effect at the time of renewal.

The existing circumstances at the site have not been modified since approval of the current CUP/SP and Reclamation Plan, and all existing operations and mining activities would continue as currently approved and permitted, with the exception of the addition of a concrete batch plant to be located at the existing processing facility. As such, this IS/SND has been prepared as a subsequent negative declaration in ac-

cordance with CEQA Guidelines Section 15162, and an amendment to the CUP/SP to allow for the proposed concrete batch plant would be required, as discussed below.

Use Permit Amendment

The existing CUP/SP would be amended to reflect the proposed concrete batch plant to be located at the existing processing facility. The proposed concrete batch plant would be located north of the project entrance and the existing asphalt plant. Associated improvements with the concrete batch plant include a fly ash silo, concrete silo, aggregate conveyor, concrete apron, and washout basin (see

Figure 3 for a typical concrete batch plant layout and Figure 4 for a typical concrete batch plant process). The washout basin would be designed in accordance with the North Coast Regional Water Quality Control Board's *General Waste Discharge Requirements and Water Quality Certification for Discharges Related to Sand and Gravel Mining, Excavation, and Processing Activities, Including Asphalt and Concrete Operations, on Non-Federal Lands in the North Coast Region.* The proposed concrete batch plant would be powered by electricity obtained through the existing power supply at the processing facility. The concrete batch plant is anticipated to produce up to approximately 10,000 cubic yards of concrete per year and is capable of production at a rate of 110 cubic yards per hour. Access to the concrete batch plant would be through the existing project site entrance.

As a Subsequent Negative Declaration, this IS/SND focuses primarily on the potential environmental effects of the proposed concrete batch plant, but identifies and continues the mitigations measures in the previous Mitigated Negative Declaration for continued operations under the Surface Mining Permit.

Figure 3
Typical Concrete Batch Plant (Layout)

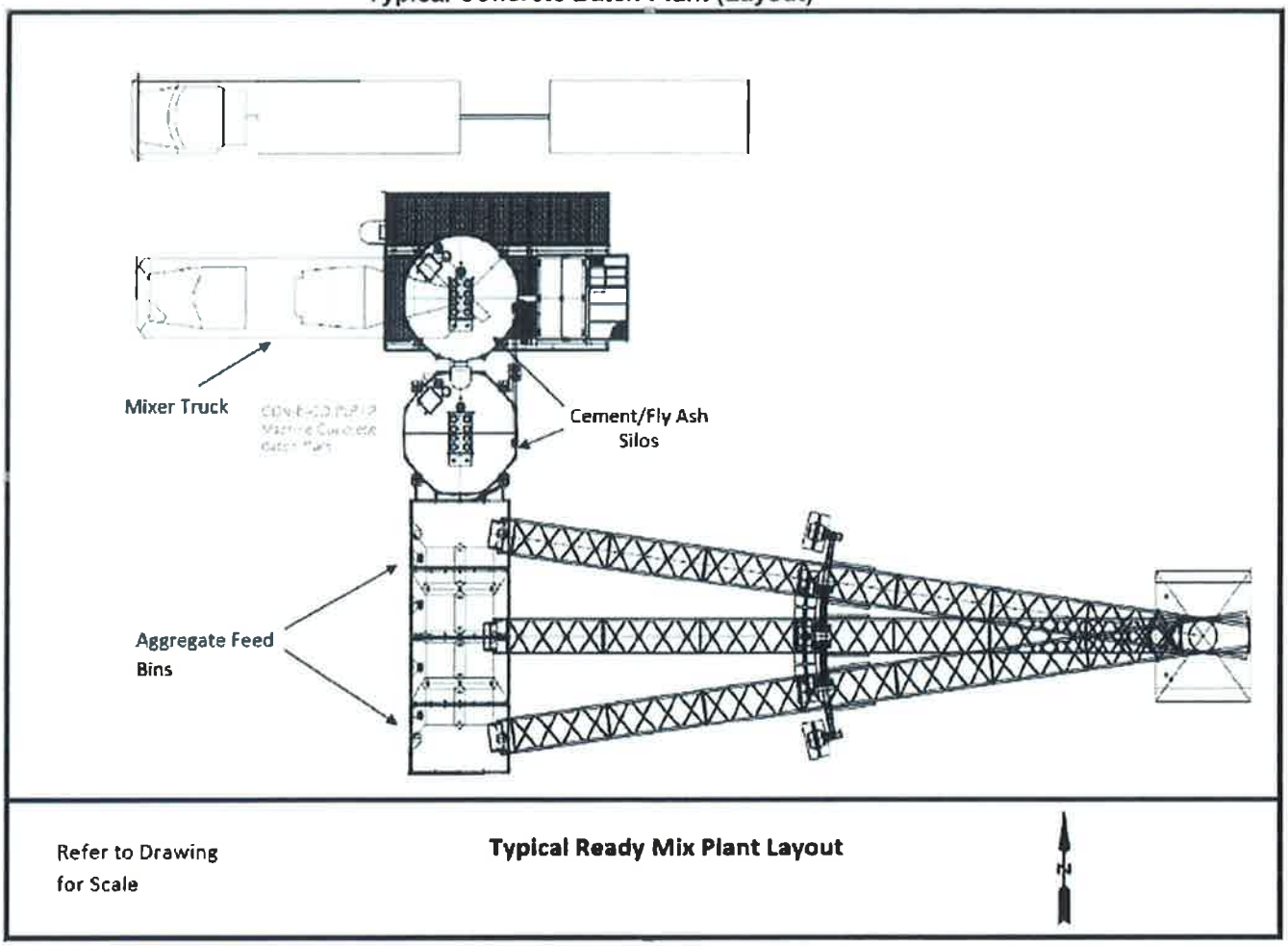
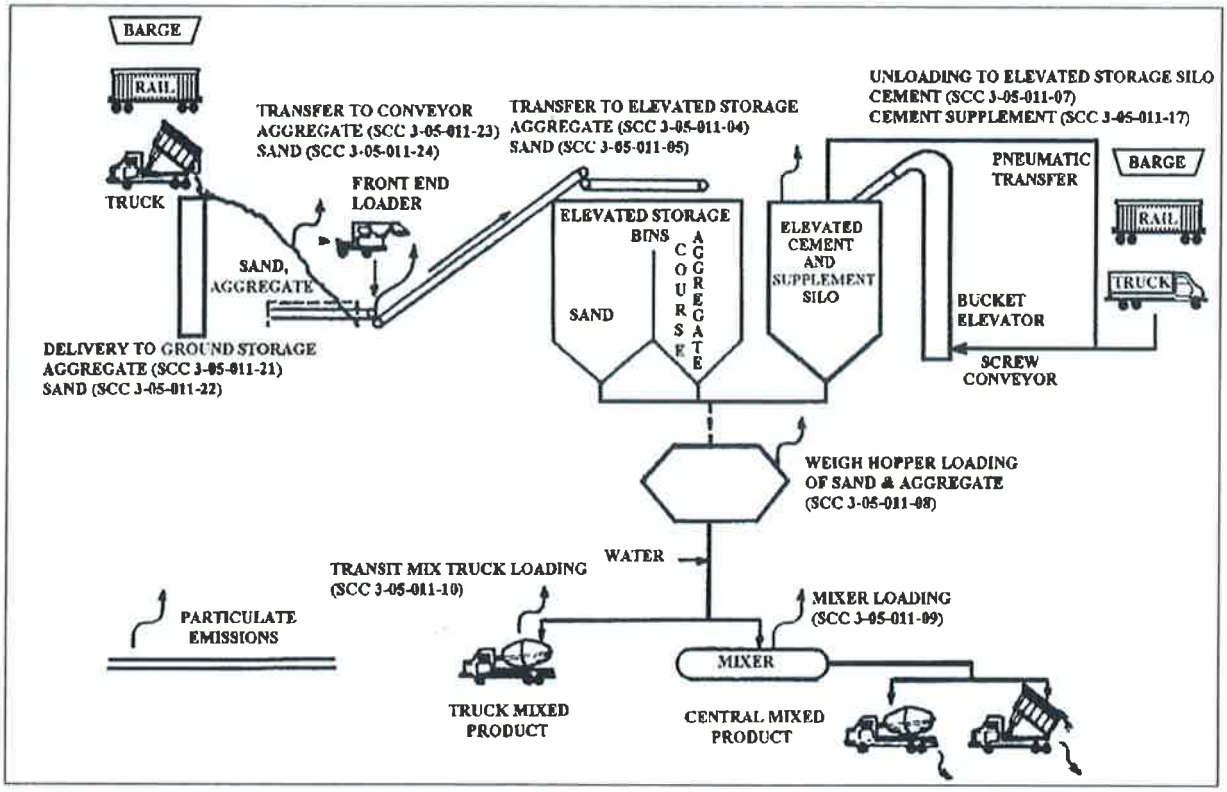


Figure 4
Typical Concrete Batch Plant (Process)


BARGE
RAIL
TRUCK
TRANSFER TO CONVEYOR
AGGREGATE (SCC 3-05-011-23)
SAND (SCC 3-05-011-24)
FRONT END
LOADER
SAND,
AGGREGATE
DELIVERY TO GROUND STORAGE
AGGREGATE (SCC 3-05-011-21)
SAND (SCC 3-05-011-22)
TRANSFER TO ELEVATED STORAGE
AGGREGATE (SCC 3-05-011-04)
SAND (SCC 3-05-011-05)
ELEVATED STORAGE
BINS
SAND
COURSE AGGREGATE
UNLOADING TO ELEVATED STORAGE SILO
CEMENT (SCC 3-05-011-07)
CEMENT SUPPLEMENT (SCC 3-05-011-17)
ELEVATED
CEMENT
AND
SUPPLEMENT
SILO
PNEUMATIC
TRANSFER
BARGE
RAIL
TRUCK
BUCKET
ELEVATOR
SCREW
CONVEYOR
WEIGH HOPPER LOADING
OF SAND & AGGREGATE
(SCC 3-05-011-08)
WATER
TRANSIT MIX TRUCK LOADING
(SCC 3-05-011-10)
MIXER LOADING
(SCC 3-05-011-09)
PARTICULATE
EMISSIONS
MIXER
TRUCK MIXED
PRODUCT
CENTRAL MIXED
PRODUCT

ENVIRONMENTAL CHECKLIST

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended, as appropriate, as part of the proposed project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant with Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

CHECKLIST

	Poten tially Signifi nifi-cant	Less Than Significant with Mitigation Incorp.	Less Than Signifi-cant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model *(1997)* prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐

	Poten ten- tially Signifi nifi- cant	Less Than Signlficant with Miti- gation Incorp.	Less Than Signifi- cant Impact	No Im- pact
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

3. AIR QUALITY. Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

4. BIOLOGICAL RESOURCES. Would the project:

a) Has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

5. CULTURAL RESOURCES. Would the project:

	Poten ten- tially Signifi nifi- cant	Less Than Significant with Miti- gation Incorp.	Less Than Signifi- cant Impact	No Im- pact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
6. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
7. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses.	☐	☐	☐	☒

	Poten ten- tially Signifi nifi- cant	Less Than Significant with Miti- gation Incorp.	Less Than Signifi- cant Impact	No Im- pact
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐
9. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional				

	Poten ten- tially Signifi nifi- cant	Less Than Significant with Miti- gation Incorp.	Less Than Signifi- cant Impact	No Im- pact
sources of polluted runoff?				
f) Otherwise substantially degrade water quality?	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
10. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
11. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐
12. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a	☐	☐	☒	☐

	Poten ten- tially Signifi nifi- cant	Less Than Significant with Miti- gation Incorp.	Less Than Signifi- cant Impact	No Im- pact
plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
13. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
14. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒
15. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
16. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the exist-	☐	☐	☒	☐

	Poten ten- tially Signifi nifi- cant	Less Than Significant with Miti- gation Incorp.	Less Than Signifi- cant Impact	No Im- pact
ing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒
17. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
18. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major	☐	☐	☒	☐

	Poten ten- tially Signifi nifi- cant	Less Than Significant with Mitl- gation Incorp.	Less Than Signifi- cant Impact	No Im- pact
periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

PROJECT DESCRIPTION/SETTING OF THE PREVIOUSLY APPROVED CUP/SP (2003):

The application proposal is for an extension of an existing conditional use permit and surface mining and reclamation plan approval for the continued annual, seasonal extraction of up to 40,000 cubic yards of aggregate (sand and gravel) from Trinity River gravel bars at the Willow Creek site. The requested volume is the same as past approvals and is based upon evaluation of additional information as well as the data collected under the ongoing monitoring programs. This project has been described to permit adaptive management of the project area, as described in the Management Program - Chapter II (B) (3) of the Mining/Reclamation Plan. The proposed project would: 1) renew the existing CUP/SP and Reclamation Plan for a 15-year term beginning 6-3-2018, and 2) amend the current CUP/SP to allow for a concrete batch plant at the existing processing facility. All existing operations and mining would continue as currently approved and permitted, with the exception of the proposed concrete batch plant. The project, as described herein, does not change the baseline environmental conditions from the existing operation as it currently is being operated. Project proposed mitigation has been included to provide the reader with information on how potential impacts are currently addressed.

The applicant proposes, on an annual basis, to continue the seasonal extraction of up to 40,000 cubic yards of aggregate, install two seasonal crossings over low flow river channels to facilitate gravel transport and reclaim extraction areas. Extraction activity will occur during the summer season generally between June 1st and October 15th. Subsequent processing activities will take place on an upland terrace adjacent to the river on Mercer, Fraser Co. and Six Rivers National Forest owned/managed lands. Normal hours of operation are between 7:00 a.m. and 6:00 p.m. Monday through Friday. Seasonal intermittent peak activity is anticipated during the construction season, but may occur anytime of the year and any day of the week (weekends), depending on the need (i.e. flood damage repair). This is proposed as a continuation of a 45+ year old operation. It is requested that a minimum 15-year term be approved based on analysis of submitted monitoring information.

Moderately steep forested hill slopes surround the project site on all sides of the river valley deposits. Land use in the surrounding area is a mixture of private and public land. Private lands include rural residential development, agriculture, highway commercial, industrial, recreational, a church as well as nearby retail commercial activities along Hwy 299 in Willow Creek, a 1/2 mile to the south. Public uses include Six Rivers National Forest (SRNF) offices and lands, a California Highway Patrol office, Trinity Valley Elementary School, and the Willow Creek Community Services District. The Hoopa Indian Reservation is to the north and the town of Hoopa 13 miles away. Above the valley and terraces, the surrounding land use is predominantly timberland.

The site is located a ½ mile north of the town of Willow Creek and consists of a stretch of the Trinity River with a bend at the upstream and downstream extents. Gravel deposits occur on the eastern portion of the project site and an upland terrace plain above the FEMA Flood plain is used for stockpiling and processing occurs on the western portion of the project site. The upland areas consist of river valley deposits associated with the meandering river channel. The morphology at this site generally consists of a straight run between two bends in the river with bedrock control on both sides of the channel and in the channel (see Figure 3). As a result: 1) bedrock constrictions cause velocity decreases at flood stages and bedload deposits greater in volume and size at this location than other less confined reaches; 2) channel configuration is controlled by existing site features to a greater extent than bar changes due to gravel extraction. Extraction is designed to compliment these influencing features rather than working contrary to the natural forces that have formed the prevailing stream morphology.

The project area utilized for gravel extraction and processing operations at the Willow Creek site totals approximately 138 acres. The approximate 138-acre project area at the Willow Creek site is a portion of 9 parcels totaling approximately 228 acres (See Figures 3 & 4). The portion of the project area on Mercer, Fraser property is approximately 71 acres, the portion on Six Rivers National Forest property is approximately 62.5 acres, and the portion on Daryl Mason's property is approximately 4.5 acres (See Table 1 – Mining/Reclamation Plan). Approximately 57 acres of the project area are located below Ordinary High Water (OHW).

Based on present conditions approximately 26 of the 57 acres below Ordinary High Water (OHW) have the potential to be utilized for gravel extraction. The extraction areas occur on the southeast, east, and northeast areas of the project site (522-145-04, 05, 06, 522-142-10, 522-491-04, 15, 21, & 22). Extraction generally occurs in the area east and west of the low flow water channel extending from the furthest upstream point to approximately 6,300 feet downstream (See Figures 3 & 4). The portion of the gravel bars available for extraction on Mercer, Fraser

property is approximately 9 acres, the portion on Six Rivers National Forest property is approximately 15 acres, and the portion on Daryl Mason's property is approximately 2 acres (See Table 1 – Mining/Reclamation Plan).

39 acres of the project area to the west, outside the active channel, has been developed as an aggregate processing facility (APN: 522-491-04, 17, 20, & 21). Site improvements occur on the southern portion of the processing site (522-491-04, 17, & 20), and include a hot mix asphalt plant, rock crusher, screen, settling basin, gate, office, and scales. The processing operation will primarily involve material crushing and/or sorting; on-site storage of materials; loading activities; production of asphalt; weighing and hauling by truck, and activities such as equipment repairs. The portion of the processing site on Mercer, Fraser property is approximately 35.5 acres, and the portion on Six Rivers National Forest property is approximately 3.5 acres (See Figures 3 & 4).

Skimming will generally be conducted with a loader, scraper, and excavator starting generally at a minimum elevation one foot above the low water channel and proceeding with a longitudinal slope equal to the river and a cross bar slope of 0% to 2%. Reclamation consists of ensuring the bar is left in a configuration so as not to increase the danger of trapping salmonids. Aggregate materials will be temporarily stockpiled and loaded on to trucks or off-road haulers. Material will then be transported to the existing adjacent process site or to off-site locations.

Alternative extraction methods including subsurface extraction (typically twelve to fifteen feet below water surface elevation) also occurs adjacent to but outside of the river channel and may, at times, be utilized to maintain channel capacity and/or maintain the adjacent bar morphology. This method is also utilized to create deep-water habitat and to reduce the surface area of extraction in order to minimize impacts to the environment. In addition resource agencies may desire alcove/pit options to improve fish holding and passage or other needs, as has historically occurred here and is done at other locations.

The Mercer, Fraser Willow Creek site has continually been used by public agencies, contractors and the general public since 1969 for purchase of base rock and hot mix asphalt. Contractors associated with CalTrans obtain road base and asphalt from the Willow Creek site. In addition, this site supplies much of the maintenance related materials necessary to maintain Highway 96 & 299. It is anticipated that as additional funding becomes available for road maintenance, an increased need in hot mix asphalt concrete for road overlays will occur. Contracts that have been awarded by the Humboldt County Public Works Department have been dependent on this site for materials.

The market area for the Willow Creek site is generally defined as the area west to the City of Blue Lake, east to Weaverville (Trinity County), north from Willow Creek to past Weitchpec and Orleans. The next closest asphalt plants occur approximately 33 miles away adjacent to the City of Blue Lake.

The mining and reclamation plan has been revised to reflect a fifteen-year approval for the surface mining activity and for the related processing activity (See Mining/Reclamation Plan). This time-frame is appropriate because monitoring at the site has occurred since County approval and the information is collected in a manner that allows a review and response to annual bar and stream conditions.

In any given year, extraction volumes, locations, and methods will be submitted by the applicant for approval by local, state and federal agencies. This interagency process is more specifically described in the Mining/Reclamation Plan and later in this report.

DISCUSSION OF CHECKLIST RESPONSES:

1. AESTHETICS.

Findings:

a) The project will not have a substantial adverse effect on a scenic vista: Less than significant impact.
b) The project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway: Less than significant impact.
c) The project will not substantially degrade the existing visual character or quality of the site and its surroundings: Less than significant impact.
d) The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area: No Impact.

Setting:

The project area is located along the Trinity River a ½ mile north of the town of Willow Creek and consists of a stretch of the Trinity River with bends at the upstream and downstream extents. Associated gravel deposits occur below ordinary high water (OHW) on the eastern portion of the project site and an upland plain used for stockpiling and processing occurs on the western portion of the project site adjacent to Highway 96.

Moderately steep forested hill slopes surround the project site on all sides of the river valley. Land use in the surrounding area is a mixture of private and public land. Private lands include rural residential development, agriculture, highway commercial, industrial, recreational, religious services as well as nearby retail commercial activities along Hwy 299 in Willow Creek, a 1/2 mile to the south. Public uses include Six Rivers National Forest (SRNF) offices and lands, a California Highway Patrol office, Trinity Valley Elementary School, and the Willow Creek Community Services District. Above the valley and terraces, the surrounding land use is predominantly public timberland.

This section of the Trinity River has been designated as Recreational under the 1968 Wild and Scenic Rivers Act since 1981. The Act recognizes that development, such as what is currently at the site and which pre-existed the designation, would remain. Recreational river segments are those segments of Wild and Scenic Rivers that are readily accessible, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past. The Big Rock Recreation Area on Six Rivers National Forest Service property is within the project area. The recreation area includes a boat launch, picnic tables, and areas for swimming and fishing along the river.

Analysis:

a) The project will not have a substantial adverse effect on a scenic vista.

There are views of the project site from Hwy 96, the River, and surrounding uplands. Stockpiles and vegetation have been strategically placed and/or maintained surrounding the processing site to minimize views of processing activity for recreationists using the Big Rock Recreation Area. The concrete batch plant will be in an area the is mostly shielded by stockpiles and vegetation. The stockpiles and vegetation are proposed to generally remain in their present location. Present views of the process area along Highway 96 are similar to what has been occurring since 1969. Extraction activities occur between June 1st and October 15th each year within the area below ordinary high water (OHW). At the end of each season, the gravel bars are reclaimed to a smooth condition. No complaints have been received regarding aesthetic conflicts during the 49 years the project has been in operation.

b) The project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Highway 96 is not a state scenic highway. The processing areas are visible along Highway 96, designated as a "Scenic Byway" by the U.S.F.S. However these remain the same as has occurred since 1969. Stockpiles and vegetation that has been placed and/or maintained surrounding the processing site serves to minimize extended

views of processing activity for drivers on Hwy 96. Extraction activities occur between June 1st and October 15th each year within the area below ordinary high water (OHW), which is not readily visible from Hwy 96. No scenic resources such as trees or rock outcroppings within the project area will be removed or impacted by the project. No historic structures occur within the project area.

c) The project will not substantially degrade the existing visual character or quality of the site and its surroundings.

Views by river recreationalists of the processing site are, for the most part, screened by the stockpiles and vegetation along the outer edge of the processing site. Due to the curvature of the river and trees growing on the banks upstream from the processing sites, views are limited to viewers until opposite the processing site. The equipment is the same type that has been present since 1969 and has remained screened from the river by the prevalence of the existing aggregate stockpiles and vegetation surrounding the site. Since the appearance from the river is of the stockpiles and willows, it would make no difference in views if the equipment were there or not.

The extraction areas are readily visible by river recreationisits utilizing the Big Rock Recreation Area. Project operations generally occur between June 1st and October 15th each year, and operations typically do not take place on the weekends when recreationists are most likely to be using the Big Rock Recreation Area. These views are limited in extent and distance and those utilizing this area during the past 34 years would be accustomed to the project site.

In 1996, the Army Corps of Engineers (ACOE) determined, "*Continued gravel mining operations on the Willow Creek Bar… are not expected to adversely alter the characteristics, or degrade the values, which caused the river to be designated as such (Wild, Scenic, and Recreational) in 1981*" (ACOE, 96).

The proposed project site has been in operation as a sand and gravel mining and processing facility since 1969, and is located along State Highway 96 and the Trinity River. Approval of the proposed project would not modify the current productions levels, materials to be mined, mining method, and the overall geographic area covered by the existing use permit and Reclamation Plan. The overall production and processing activities on the project site would be consistent with existing conditions, with the exception of introducing a concrete batch plant and ancillary equipment. The concrete batch plant would be placed within the currently permitted boundaries of the facility alongside other existing processing equipment. As such, the proposed additional processing equipment would be consistent with the visual character and quality of what already occurs on the project site. Existing stockpiles and vegetation on the site have been strategically placed to shield sights of the processing areas from nearby views. In addition, the border of the site along State Highway 96 includes fencing and landscaping to help block views from travelers along the highway, as well as from any nearby uses opposite the highway. As such, the existing views of the proposed project site or in the vicinity of the project site would not be modified with implementation of the proposed project. The proposed concrete batch plant would be built next to the existing asphalt plant at the existing processing area. A typical batch plant is shown on both Figure 4 and Figure 5. Given the proposed concrete batch plant's location next to the existing asphalt plant, the project will not substantially degrade the existing visual character or quality of the site. (See, Figure 5.) Furthermore, because views would not be modified, the project would not affect any views from a scenic vista, would not damage any scenic resources, and would not affect any State scenic highways. Therefore, ***no impact*** associated with scenic vistas, scenic resources within a State scenic highway, or degradation of the existing visual character or quality of the site and surrounding area would occur.

d) The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Project operations do not take place at night and require little equipment and no construction. Only the equipment could cause any glare, but this would be minimal. The project will not result in new sources or light or glare which would affect day or nighttime views in the area.
The concrete batch plant would be built next to the existing asphalt plant at the existing processing area. In addition, operations would not take place at night and the nearest residence to the site is located approximately 1,200 feet from the processing area, on the opposite side of the Trinity River. Therefore, the proposed project would have ***no impact*** related to the creation of a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Cumulative Impact: The Mercer, Fraser Co. Willow Creek site is a land use that may be considered by some to cause impacts to the aesthetic value of the section of the Trinity River Valley surrounding the project site. However, aesthetic impacts are really a matter of opinion or values and not something that can be quantified. Land use in the surrounding area is a mixture of private and public land. This section of the Trinity River has been designated as Recreational under the 1968 Wild and Scenic Rivers Act since 1981. In 1996, the Army Corps of Engineers (ACOE) determined, "*Continued gravel mining operations on the Willow Creek Bar… are not expected to adversely alter the characteristics, or degrade the values, which caused the river to be designated as such (Wild, Scenic, and Recreational) in 1981*" (ACOE, 96). The Willow Creek site was not determined in the past to cause a cumulatively considerable impact to the aesthetic value of the surrounding area, and as proposed, consistent with past operations, would not result in a cumulatively considerable impact.

Existing Project Mitigation:

1) Stockpiles and vegetation have been placed and/or maintained around the processing site to screen views of the processing area for the public using the Big Rock Recreation Area.

Mitigation: None required.

2. AGRICULTURE AND FOREST RESOURCES.

Findings:

a) The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use: No impact.
b) The project will not conflict with existing zoning for agricultural use, or a Williamson Act contract: Less than significant impact.
c) The project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.
d) The project will not result in the loss of forest land or conversion of forest land to non-forest use.
e) The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use: No impact.

Setting:

Humboldt County has not been mapped by the Farmland Mapping and Monitoring Program (www.consrv.gov). There are no prime agricultural soils within the project area or vicinity. The project area has been mapped in Soils of Western Humboldt County (1965). No prime agricultural soils were identified. Soil-vegetation mapping units of the area rate the soils as medium to low potential for agriculture and low to high for timber production. Humboldt County (NR&H Report) has identified some of the project area as potential agricultural soils based on the fact that there are alluvial soils on less than 15% slope and that the area is not urban. A more recent mapping of prime agricultural soils from the County 2014 web GIS shows a portion of the project site having prime soils, however, this area is already heavily developed as a processing area and is the area where the concrete batch plant would be located. The Six Rivers National Forest lands included within the project area (117 of total 218 acres) are zoned Agriculture Exclusive (AE).

The geologic formation at the project site is the Franciscan Formation consisting of a mixture of Quaternary non-marine terrace deposits and recent alluvium consisting of unconsolidated gravel, sand and silt (SWHC, 1965). Analysis of site stratigraphy shows interbedded layers of sand to sandy gravel. These moderately consolidated materials result in high percolation rates as well as a low summer groundwater table. Surrounding agricultural lands, outside of the project site, are similarly situated with a gravelly (river run) substrate; though uncompacted, when irrigated it produces a minimal cover with little or no topsoil horizon development.

Analysis:

a) The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

Humboldt County has not been mapped by the Farmland Mapping and Monitoring Program (www.consrv.gov). A more recent mapping of prime agricultural soils from the County 2014 web GIS shows a portion of the project site having prime soils, however, this area is already heavily developed as a processing area and is the area where the concrete batch plant would be located.

b) The project will not conflict with existing zoning for agricultural use, or a Williamson Act contract.

Parcels 522-142-10, 522-145-04, 06, and 522-491-04, managed by the Forest Service, are zoned Agriculture Exclusive (20 acre minimum parcel size). These parcels consist of river, riverside gravel bar, river terrace, sloping forested hillsides, and a 5.8 acre portion of the Mercer, Fraser processing site developed for industrial purposes,

and do not contain identified prime agricultural soils (See Figure 3). No Williamson Act contracts have been established for Forest Service lands within the project area that are zoned Agriculture Exclusive (AE). Since these parcels have not been identified as containing prime agricultural soils and are not utilized for agricultural purposes, no agricultural resources will be impacted on National Forest lands by the ongoing gravel extraction and processing operation at the Willow Creek site. Nearby agricultural uses are not included in the project area and will not be adversely affected by project activity.

e) The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

The project proposes to use the site as it has been for 34 years; no farmland will be converted. Use of existing road access and storage areas will be maximized.

No topsoil salvage and redistribution will occur, as no topsoil horizons exist in the project area. Any existing vegetation on top of the process area is in very shallow soils rooted in compacted gravels, consisting primarily of annuals. This has been the case since 1969. No topsoil will subsequently be required to be removed or stockpiled.

The surrounding area, consisting of residential uses, highway commercial, public facilities, timber production and agriculture, will not be affected by this project. There will be no permanent alteration to the existing site as a result of this project, and no farmland conversion will result.
c, d)The project will not conflict with or cause loss of forest land or timberland.

The project site is not identified as forest land or timberland and is not zoned Timber Production. Therefore the proposed project would not result in the conversion of forest land and would not conflict with forest land, timberland, or Timberland Production zoning. No impact.

Cumulative Impact: This project will not impact any Agricultural Resources, as the site will be utilized as it has in the past. The site was not originally located on prime agricultural land and will not be expanded to impact or convert any prime agricultural land. This project will not cause a cumulatively considerable impact to agricultural resources.

Existing Project Mitigation:

1) The project is confined to the project area indicated in Figure 3 of the Mining and Reclamation Plans. Agricultural Resources are not affected.

Mitigation: None required.

3. AIR QUALITY.

Findings:

a) The project will not conflict with or obstruct implementation of the applicable air quality plan: Less than significant impact.
b) The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation: Less than significant.
c) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors): Less than significant impact.
d) The project will not expose sensitive receptors to substantial pollutant concentrations: Less than significant impact with mitigation.
e) The project will not create objectionable odors affecting a substantial number of people: No impact.

Setting:

The project site is located in Humboldt County, which lies within the North Coast Air Basin (NCAB). The NCAB extends for 250 miles from Sonoma County in the south to the Oregon border. The climate of NCAB is influenced by two major topographic units: the Klamath Mountains and the Coast Range provinces. The climate is moderate with the predominant weather factor being moist air masses from the ocean. Average annual rainfall in the area is approximately 60 inches with the majority falling between October and April. Predominate wind direction is typically from the northwest during summer months and from the southwest during storm events occurring during winter months.

The climate of the Trinity River basin corresponds to the warm temperate classification of Koppen, as given in Strahler. Summers are generally warm with infrequent precipitation, and winters are cool and humid. About 80 percent of the annual precipitation, most of which is rainfall, occurred between November and March. Snowfall occurs during winter months at elevations above 2,000 feet and commonly accumulates to significant depths at elevations above 4,000 feet. Annual precipitation varies from less than 40 inches at lower elevations to more than 80 inches at higher elevations. Precipitation for the entire basin averages about 55 inches per year.

The only standard currently listed as non-attainment in the North Coast Air Basin is the state standard for particulate PM-10. The NCAB, along with most of the rest of California, does not meet the ambient levels the state sets for PM-10, the federal PM-10 standard is three times the level set by California. While the percentage of days in the year the state standard has been exceeded has been decreasing over the past few years, the standard is still exceeded on several days every year, usually in the winter months when wood stoves are predominantly used for providing heat to residences.

Analysis:

a) The project will not conflict with or obstruct implementation of the applicable air quality plan.

Discussion for finding *b)* applies to both finding *a)* & *b)*.

b) The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Two types of air pollutants could result from this project. One is emissions from licensed extraction equipment and trucks used for transporting the gravel off-site. The other is dust from extraction, processing, and transport activities.

The project will result in similar truck traffic levels as has occurred in the past, consisting of approximately 100 trucks per day during the construction season. This could increase to a maximum of 200 trucks per day during heavy activity such as emergency road repairs. Much of the year the site is not operating and therefore produces no traffic. Vehicles will be maintained to meet emission standards. Due to the small scale of the project, emis-

sions from vehicles will be insignificant, especially when compared to the amount of traffic that already occurs on Hwy 96 and 299.

Extraction, processing and hauling activities can produce high fugitive dust levels during certain times of operation. The major sources of dust at the site would be from extraction on the gravel bar, operation of the aggregate plant, and truck traffic on the dirt access roads. Most of the dust that could cause a possible nuisance would be most attributable to operation of the aggregate plant and truck traffic on the dirt access roads, with dust being carried upstream by the prevailing winds that generally travel up the river valley during the day. Dust associated with truck traffic would be trapped by the surrounding vegetation and would be less noticeable. Dust would only be created during the time the extraction, processing, and hauling occur, and would be substantially decreased by periodic watering of the extraction areas, processing site, and access roads.

USEPA (1995) has determined that at an average wind speed of 10 m.p.h. most dust (30 to 100 μm in size) generally settles out of the atmosphere within 300 feet of the source, with larger particles traveling less distance and smaller particles traveling a longer distance. Most of the extraction areas, the process site, and hauling roads are more than 300 feet from the nearest residences and recreational areas.

The extraction activity will not conflict with or obstruct implementation of the State Air Quality Implementation Plan (SIP) for California. In 1996 the Army Corps of Engineers (ACOE) determined the following in regards to a section 404 permit for the Willow Creek site: "*Project activity would have minor, short-term impacts on air quality in the vicinity of the project site. Based on the relatively minor size of the proposed project and limited to an evaluation of the air quality impacts only within Corps of Engineers jurisdictional areas, the Corps has determined that the total direct and non-direct project emissions would not exceed the de minimus threshold levels of 40 CFR 93.153. Therefore, the proposed project would conform to the State Air Quality Implementation Plan (SIP) for California*".

Activity in the project area would continue to require meeting NCUAQMD Air Quality standards, including Regulation 1, which prohibits nuisance dust generation and is enforceable by the District. The North Coast Unified Air Quality Management District currently enforces dust emissions utilizing the CA Health and Safety Code (Section 41701) which limits visible emissions that exceed 40% density to a maximum of 3 minutes for any one hour period. The Willow Creek operation has a Permit to Operate (Permit # NCU 081-12) from the North Coast Unified Air Quality Management District for the hot mix asphalt and aggregate plants.

The proposed project is located in Humboldt County, which is within the North Coast Air Basin (NCAB) and the jurisdictional boundaries of the North Coast Unified Air Quality Management District (NCUAQMD). The NCUAQMD area of the NCAB is listed as attainment or unclassified for all the federal and State ambient air quality standards (AAQS) except for the State 24-hour particulate (PM_{10}) standard. The NCUAQMD has prepared a draft Particulate Matter (PM_{10}) Attainment Plan, adopted May 11, 1995, which is planned to be updated. It should be noted that the Attainment Plan is not a regulatory document required to bring the area into attainment of the State AAQS, but is used for informational purposes. The Attainment Plan presents available information about the nature and causes of exceedances of the PM_{10} standard and identifies cost-effective control measures that could be implemented to bring ambient PM_{10} levels down to levels that would meet the State AAQS for PM_{10}.

The NCUAQMD has not formally adopted significance thresholds, but rather utilizes the Best Available Control Technology (BACT) emission rates for stationary sources, as defined in the NCUAQMD Rule 110, New Source Review (NSR) and Prevention of Significant Deterioration (PSD), Section 5.1, BACT (see Error! Reference source not found. below).

The proposed project would not modify the current production levels, hours of operation, materials to be mined, mining method, and the overall geographic area covered by the existing CUP/SP and Reclamation Plan. Equipment and fuel systems currently in place to serve the existing mining operation on the project site would continue to be used. It should be noted that all necessary permits to operate have been obtained from the NCUAQMD for the existing on-site equipment. The only modifications to existing operations would be the addition of a concrete batch plant and associated ancillary equipment within the processing area. Thus, the only increase in air pollutants from what is currently being emitted at the project site from existing mining operations would be associated with the concrete batch plant operations, which would require a new permit to operate from the NCUAQMD. The prima-

ry pollutant emissions of concern related to operation of the proposed concrete batch plant would be PM due to the nonattainment status of the area for PM_{10} and the potential for dust creation from the conveyor, and cement and fly ash storage. The concrete batch plant would run on electricity from existing on-site supplies and would not involve any processes that would result in emissions of any of the other pollutants listed in Error! Reference source not found..

TABLE 1

NCUAQMD Significance Thresholds			Proposed Concrete Batch Plant Emissions	
Pollutant	**Daily (lbs/day)**	**Annual (tons/yr)**	**Daily (lbs/day)**	**Annual (tons/yr)**
Carbon Monoxide (CO)	500.0	100.0	0	0
Fluorides	15.0	3.0	0	0
Hydrogen Sulfide	50.0	10.0	0	0
Lead	3.2	0.6	0	0
Nitrogen Oxides (NO_X)	50.0	40.0	0	0
Particulate Matter (PM_{10})	80.0	15.0	49.94	0.22
Fine Particulate Matter ($PM_{2.5}$)	50.0	10.0	0	0
Reactive Organic Compounds (ROG)	50.0	40.0	0	0
Reduced Sulfur Compounds	50.0	10.0	0	0
Sulfur Oxides	80.0	40.0	0	0
Sulfuric Acid Mist	35.0	7.0	0	0
Total Reduced Sulfur Compounds	50.0	10.0	0	0
Source: NCUAQMD, 2010.			*Sources: EPA Emission Factors & AP 42, Compilation of Air Pollutant Emission Factors*	

An application for the permit to operate for the concrete batch plant and ancillary equipment has been submitted to the NCUAQMD for review and approval. According to the application, the concrete batch plant is anticipated to produce approximately 10,000 cubic yards of concrete per year at a rate of 110 cubic yards per hour. Using the aforementioned assumptions in conjunction with information from the U.S. Environmental Protection Agency (USEPA) Emission Factors and AP 42, Compilation of Air Pollutant Emission Factors, for concrete batching, the application includes an estimate of the total PM_{10} expected from the concrete batch plant of 4.54 pounds per hour (i.e., approximately 49.94 pounds per day) and 0.22 tons per year. In comparison to the significance thresholds shown in Error! Reference source not found., the concrete batch plant is not anticipated to exceed the BACT emission rates for stationary sources. It should be noted that the proposed concrete batch plant and associated equipment would include dust control systems to minimize or avoid dust production associated with the proposed process. In addition, the proposed project is required to comply with all applicable NCUAQMD rules and regulations.

As discussed above, the existing operations on the project site are currently regulated through the currently approved CUP/SP and NCUAQMD permits and are part of the baseline for the proposed project. The only increase in air pollutant emissions would occur in relation to the proposed concrete batch plant, which, as described above, would result in associated emissions below the NCUAQMD significance thresholds. Accordingly, the proposed project would not obstruct implementation of any of the potential control measures for PM_{10} described in the draft Particulate Matter (PM_{10}) Attainment Plan, would not violate any air quality standard, and would not contribute substantially to the area's nonattainment status of State PM_{10}. Although the proposed concrete batch plant operations would increase the total PM_{10} emissions associated with the entire proposed project operations, the concrete batch plant's incremental contribution would not be a cumulatively considerable increase. Overall, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan, violate any air quality

standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of any criteria pollutant, and impacts would be ***less than significant***.

c) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

During certain times of the year, mostly in the winter, the NCAB is non-attainment for the state standard for particulate matter (PM-10), mainly in the area surrounding Humboldt Bay. Currently, the NCAB is non-attainment only for a few days per year. The draft attainment plan for PM-10 in the NCAB was completed in 1995. No final attainment plan currently exists for the NCAB. The attainment goals for lowering PM-10 in the NCAB were designed for Crescent City, Weaverville, and Eureka. Willow Creek is located inbetween Eureka and Weaverville (closer to Eureka), and PM-10 generated by this site would be detected best by the monitoring station located in Eureka. Based on the estimates generated for the 1995 draft attainment plan, Eureka needs a 49% reduction. This project as proposed consistent with past operations will not be generating any additional PM-10. Existing project mitigation measures included at the end of this section shall help to reach the attainment goals for PM-10 established in the 1995 draft attainment plan (NCUAQMD website).

An application for the permit to operate the concrete batch plant and ancillary equipment has been submitted to the NCUAQMD for review and approval. According to the application, the concrete batch plant is anticipated to produce approximately 10,000 cubic yards of concrete per year at a rate of 110 cubic yards per hour. Using information from the USEPA Emission Factors and AP 42 – Compilation of Air Pollutant Emissions Factors for concrete batching, the application includes an estimate of total PM-10 expected from the concrete batch plant of 4.54 pounds per hour (i.e. approximately 49.94 pounds per day) and 0.22 tons per year. In comparison to significance thresholds, the concrete batch plant is not anticipated to exceed BACT emissions rates for stationary sources. It should be noted that the proposed concrete batch plant and associated equipment would include dust control systems to minimize or avoid dust production associated with the proposed process. In addition, the proposed project is required to comply with all applicable NCUAQMD rules and regulations.

d) The project will not expose sensitive receptors to substantial pollutant concentrations.

The sensitive receptors in the vicinity of the project site include rural residences, recreationists, and public facilities located adjacent to the project site. There are eight residences within 500 feet of the extraction areas; the Big Rock Recreational Area is located at the upstream end of the project site, and the Trinity Valley Elementary School is across Hwy 96 from the project site. Five rural residences exist within 1,000 feet of the processing site. Dust generated from gravel extraction, operation of the aggregate plant, loading and vehicle movement, in combination with overall operations, has the potential to be considered objectionable by residents and recreationists in the general area.

As discussed above, the proposed project would not modify the current production levels, hours of operation, materials to be mined, mining method, and the overall geographic area covered by the existing CUP/SP and Reclamation Plan. Equipment and fuel systems currently in place to serve the existing mining operation on the project site would continue to be used. It should be noted that all necessary permits to operate have been obtained from the NCUAQMD for the existing on-site equipment. The only modifications to existing operations would be the addition of a concrete batch plant and associated ancillary equipment within the processing area. Thus, the only increase in air pollutants from what is currently being emitted at the project site from existing mining operations (the baseline) would be associated with the concrete batch plant operations. Typically, the major pollutant concentrations of concern are localized CO emissions and TAC emissions, which are addressed in further detail below.

Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Sensitive receptors are facilities where sensitive receptor population groups (i.e., children, the elderly, the ill, etc.) are likely to be located. Accordingly, land uses

that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics.

The proposed project would not introduce new sensitive receptors to the area. Accordingly, the proposed project would not be considered a sensitive receptor. The nearest sensitive receptor to the site would be the Trinity Valley Elementary School located approximately 570 feet from the proposed concrete batch plant. Trinity Valley Elementary School is separated from the existing project site by State Highway 96 and landscaping on either side of the highway. The nearest existing residence to the project site is located opposite the Trinity River and over 1,200 feet from the proposed concrete batch plant.

This project is an extension of an existing permitted activity. Due to the limited extraction activity that will occur, the rapid dissipation of the dust and the low density of residences and recreationists, impacts are not significant. This project is required to meet air quality district standards on a continual basis. The following mitigation measure will ensure that fugitive dust emissions are minimized.

Localized CO Emissions

Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. Implementation of the proposed project would increase traffic volumes on streets near the project site associated with transport of materials to and from the proposed concrete batch plant; therefore, the project would be expected to increase local CO concentrations. Concentrations of CO approaching the AAQS are only expected where background levels are high, and traffic volumes and congestion levels are high. The project site is not located in an urbanized area with heavy traffic congestion. Thus, intersections in the area are not currently expected to be operating unacceptably.

The proposed concrete batch plant could result in a maximum increase of approximately 12 truck trips per day during peak hour conditions from existing levels of traffic, which would not deteriorate intersection LOS or substantially contribute to an intersection that already operates at an unacceptable LOS. Consequently, the proposed project would not be expected to result in the generation of substantial concentrations of localized CO emissions.

TAC Emissions

The California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommendations for siting new sensitive land uses near sources typically associated with significant levels of TAC emissions, including, but not limited to, freeways and high traffic roads, distribution centers, and rail yards. The CARB has identified DPM from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure.

As stated above, the proposed project is not considered a sensitive receptor and, thus, would not expose any new sensitive receptors to existing sources of TACs. Existing operations on the project site would not be modified, with the exception of the addition of a concrete batch plant and associated ancillary equipment. All necessary permits to operate have been obtained from the NCUAQMD for the existing on-site equipment. Similarly, a permit to operate the proposed concrete batch plant would be obtained from the NCUAQMD, and operation of the plant would be required to comply with all permit requirements. The concrete batch plant would utilize electricity and does not involve operations that would result in emissions of TACs. It should be noted that existing operations on the project site currently involve the use of heavy equipment, which could be related to emissions of TACs attributable to diesel engines; however, the proposed concrete batch plant would not involve an increase in the amount or usage of such equipment on the site from existing conditions. Therefore, the proposed project would not result in an increase in TAC emissions associated with the on-site operations.

CARB recommends safe distances between sensitive receptors and potential sources of TACs, such as more than 500 feet from a freeway or high-traffic road, 1,000 feet from distribution centers, rail yards, and chrome platers, and 300 feet from dry cleaners and gasoline dispensing facilities. The CARB's Handbook includes distribution centers or similar facilities with associated diesel truck trips of more than 100 trucks per day as a source of sub-

stantial TAC emissions, particularly associated with DPM emissions from idling trucks during loading and unloading activities. The proposed concrete batch plant operations could result in an increase in truck trips from current levels associated with the existing site of a maximum of 12 peak hour truck trips during the peak construction season. However, consistent with existing on-site operations, during the off-season months, minimal truck trips would be generated. It should be noted that State law restricts truck idling in excess of five minutes. Overall, the new truck trips would be consistent with the existing variability in truck trips generated by the current project operations.

In addition, the prevailing wind in the County is from the northwest, which would transport any potential pollutant emissions from the site away from the nearest sensitive receptors. During the winter, winds come in from the south, southeast, and southwest. However, as mentioned above, during the off-season winter months, minimal on-site operations occur and minimal truck trips would be generated. Furthermore, according to CARB, concentrations of DPM are typically reduced by 70 percent at a distance of approximately 500 feet. The nearest sensitive receptor (Trinity Valley School) is located approximately 570 feet from the proposed concrete batch plant and is separated by State Highway 96 and vegetation on either side of the highway. Thus, the likelihood that any one sensitive receptor would be exposed to high concentrations of DPM associated with on-site operations for any long periods of time would be low. Therefore, operation of the proposed project is not expected to result in exposure of sensitive receptors to substantial pollutant concentrations.

Conclusion

As discussed above, the proposed project would not cause or be exposed to substantial pollutant concentrations, including localized CO or TAC emissions, including DPM. Therefore, exposure of sensitive receptors to substantial pollutant concentrations would not occur and a ***less than significant*** impact would occur.

Mitigation:

M-1. The on-site haul road shall be watered to reduce dust emissions and potential wind erosion of the soils; Apply water to disturbed land surfaces at a frequency high enough to maintain soil cohesion and to reduce blowing dust to the extent practicable. The operator shall maintain a log identifying the day and time and the amount of water applied to maintain dust control. The log shall be kept on the project site and shall be presented for review by county or other agency personnel upon request.

e) The project will not create objectionable odors affecting a substantial number of people.

The Asphalt Batch Plant operated at the Willow Creek site is capable of generating odors that could be considered objectionable but would not affect a substantial number of people. Due to the limited amount of time the batch plant is in operation and the limited number of people that would be affected, the impact from odors generated by the plant is considered insignificant. The Willow Creek operation has a Permit to Operate (Permit # NCU 081-12) from the North Coast Unified Air Quality Management District for the hot mix asphalt and aggregate plants.

Odors are generally regarded as an annoyance rather than a health hazard. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative methodologies to determine the presence of a significant odor impact do not exist. According to the CARB's Handbook, some of the most common sources of odor complaints received by local air districts are sewage treatment plants, landfills, recycling facilities, waste transfer stations, petroleum refineries, biomass operations, autobody shops, coating operations, fiberglass manufacturing, foundries, rendering plants, and livestock operations. The proposed project does not involve any of the aforementioned uses and is not located in the vicinity of any such uses.

The only modification to the existing operations would be the introduction of a concrete batch plant and associated ancillary equipment. All other operations currently occurring on the site would continue as is. Therefore, the only increase in the potential to create objectionable odors from what currently occurs would be any odors associated with the concrete batch plant and equipment. The concrete batch plant would run on electricity provided by the existing on-site supplies. Operation of the concrete batch plant would not result in any activities or materials that have the potential to cause objectionable odors. In addition, odors dissipate with distance and the nearest sensitive receptor (Trinity Valley School) is located approximately 570 feet from the proposed concrete batch plant. Fur-

thermore, the nearest receptor to the site is separated from the proposed concrete batch plant site by stockpiles, fencing and vegetation, and State Highway 96.

It should be noted that the NCUAQMD regulates objectionable odors on a complaint basis. If complaints are received, the NCUAQMD investigates the complaint and determines a solution for the source of the complaint, which could include operational modifications. Thus, although not anticipated, if odor complaints are made the operator and/or the NCUAQMD would ensure that such odors are addressed and any potential odor effects reduced to less than significant. Therefore, overall, the proposed project would not create objectionable odors, nor would the project site be affected by any existing sources of substantial objectionable odors, and a ***less-than-significant*** impact related to objectionable odors would result.

Cumulative Impact: During certain times of the year the NCAB is non-attainment for the state standard for particulate matter (PM-10), mainly in the area surrounding Humboldt Bay. While the percentage of days in the year the state standard has been exceeded has been decreasing over the past few years, the standard is still exceeded on several days every year, usually in the winter months when wood stoves are predominantly used for providing heat to residences. Particulate matter generated by this project was not determined in the past to be a cumulatively considerable addition to the limited PM-10 non-attainment status of the NCAB, and as proposed consistent with past operations would therefore not currently be determined to be a cumulatively considerable addition.

Existing Project Mitigation:

1) Periodic watering of the extraction site, processing site, and access roads will continue to be utilized (as necessary) to reduce fugitive dust emissions.

2) Adherence to standards of Air Quality Permit (NCU 081-12).

Mitigation: None required.

4. BIOLOGICAL RESOURCES.

Findings:

a) The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service: Less than significant impact.
b) The project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service: Less than significant impact.
c) The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means: No impact.
d) The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites: Less than significant impact.
e) The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance: No impact.
f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan: No impact.

Setting:

VEGETATION

A major part of the Trinity River basin is covered by forests. Forested areas are predominantly mixed conifer types, such as fir and pine, which have been extensively developed for marketable timber. The remainder of the basin is covered by woodland (oaks and other hardwoods) and brushland.

The gravel bars are, for the most part, unvegetated due to high flows and annual bar scour. There are deciduous riparian trees (alders, willows) along the edge of the channel anchored into fissures in bedrock substrate both within and outside the bankfull channel. Willow scrub is located in isolated patches on gravel bars (Berg, pg. 122).

During hydrologic years of normal rainfall, at the Willow Creek site, the bars are scoured by winter and spring waters, resulting in low-water vegetation characterized by annual herbaceous species. Perennial herbaceous species and some woody species have also been able to colonize and persist on the bar, resulting in riparian stands with some wildlife habitat value. These woody species include young sandbar willow and red alder, while the herbaceous vegetation includes sweet white clover, Dalmatian toadflax, rough cocklebur, scarlet monkey flower, brooklime, small-headed bulrush, pearly everlasting, and grasses.

Other vegetation types found within the project area include Douglas Fir, Madrone, tanbark oak, coyote brush, poison oak, himalaya berry, and various grasses and forbs.

According to Six Rivers National Forest (SRNF) personnel State listed A weed spotted knapweed and State listed B weed dyer's woad have been documented along the middle Klamath reach near the confluence of the Trinity and Klamath Rivers at Weitchpec 20 miles away. Spotted knapweed was known to the middle Klamath reach until inventory of river bars was conducted this last field season. The project site has not been inventoried to date but could be considered potential habitat for these weed species. Yellow starthistle (State listed C weed) has been mapped along Highway 96 adjacent to the gravel operation site. High river bars are also potential habitat for these species (Frey, 2003).

There are no Sensitive Plant Species, Special Interest Species, or Survey and Manage Plant Species on the portion of SRNF lands within the project area. The SRNF determined that suitable habitat does not exist for SPS, SIS, or S&M species on Forest Service lands within the project area.

WILDLIFE

A variety of species of mammals, birds, fish, amphibians and reptiles inhabit the riparian and neighboring areas of the Trinity River Basin.

Wildlife species in the watershed area represent a high degree of diversity, reflecting the influences of elevation, climate, topography, and vegetation. Characteristic species of forested areas of the Pacific Northwest are relatively abundant. These include black bear, black-tailed deer, northern flickers and other woodpeckers, alligator lizards, and newts. Numerous species with special status inhabit the Trinity River watershed as well. The California Department of Fish & Game database for the northern spotted owl provides information on numerous known territories for the species in the watershed (density of one territory per 4,800 surface acres). All three North American accipiters (Cooper's hawk, sharp-shinned hawk, northern goshawk) occur in the watershed. Pacific fishers have been sighted, as have ring-tailed cats and northern flying squirrels. Black salamanders and tailed frogs are found in the forested areas. Riparian-associated wildlife species also exhibit a high degree of diversity and density. Bird species richness is high compared to other riparian locations in the west. Species sighted in the watershed during surveys include numerous special status species such as the willow flycatcher, yellow-breasted chat, yellow warbler, and black-capped chickadee. Rare raptors are present as well, including bald eagle, peregrine, and merlin. A variety of shorebirds and waterfowl inhabit the basin and include herons, egrets, sandpipers, wood ducks, and three species of merganser. The composition of riparian bird community is likely to have changed as a result of the dam-related increases in acreages of riparian vegetation (NR&H, Vol II; pg. 61).

Riparian mammals occurring along the mainstem Trinity River include numerous rodent species, whose distributions are linked to the distribution of riparian vegetation. Larger, semi-aquatic species occur as well, including beavers and river otters. The native herpetofauna includes two candidates for a federal listing: western

pond turtles and yellow-legged frogs. Introduced bullfrogs have begun to invade the area, with potentially deleterious effects on native amphibians, fishes, and waterfowl (NR&H, Vol II; pg. 61 & 62).

Portions of the project area can be considered to be environmentally sensitive habitat. The sensitive habitat consists of several different kinds and can be classified as follows:

1) The riverine habitat of the river channels and the occasional ponds that form under summer low water conditions provide habitat for invertebrates, fish, amphibians such as frogs and salamanders, invertebrate-eating birds and various mammals including river otters and beavers and other mammals that come to the river to forage (such as bear, deer and raccoon).

2) The exposed cobble in the gravel bars adjacent to the low-flow channels provides roosting habitats for one avian species, killdeer, but otherwise represents one of the sparsest habitats in terms of wildlife diversity and numbers. Of the three habitats listed here this is the general area where extraction activities actually occur.

3) The riparian scrub habitat (Palustrine Scrub-Shrub Wetland; broad-leaved deciduous) occurs on "islands" next to the low flow channels and is the most extensive plant community within the active channel. Portions of this habitat are inundated every winter during high river flows. The Mixed Willow Series dominates the vegetation growing within the riparian scrub habitat. The understory is minimal and is comprised of weedy annual grasses and forbs. Only a sparse covering (40%) of shrubs is found in this community. This primarily includes narrow-leaved willow, shiny willow, red willow with incidental occurrence of red alder and black cottonwood. The riparian scrub habitat supports a variety of wildlife species, including black bear, deer and a number of small mammals such as raccoon, striped skunk, gray fox, rodents and rabbits, and many bird species that use the areas for foraging, nesting and cover.

Two additional types of general habitat can be found near the property beyond that described above. These include the conifer woodlands surrounding the Trinity River valley and the agricultural-orchard-rural residential areas on surrounding lands within the Willow Creek area. Mammals typical to these areas include black-tailed deer, raccoon, opossum, fisher, mink, skunk, porcupine, brush rabbit, pocket gophers, wood rats, and deer mice. Representative reptiles and amphibians include yellow-legged frogs, Pacific giant salamanders, rough-skinned newts and garter snakes and alligator lizards, none of which are special status species. Although present in the Trinity River Basin, the Bald eagle is primarily limited to the reservoir areas upstream of the project site.

The Trinity basin as a whole is among the three largest California anadromous river systems north of San Francisco, second to the Klamath and similar to the Eel River in volume and drainage area. Chinook salmon, Coho salmon and steelhead trout and their designated critical habitats are currently listed as 'Threatened' under the Federal Endangered Species Act and in the past have been among the most important species with regard to commercial and sport fisheries.

SONCC coho salmon, Upper Klamath-Trinity chinook salmon, and KMP steelhead utilize mainstem habitat at the Willow Creek site. In addition, green sturgeon, coast range and prickly sculpin, speckled dace, three spine stickleback, and Pacific lamprey utilize aquatic habitat in the Trinity River (Berg, pg. 123).

Reductions in anadromous fish populations have occurred in the river. Some of the major factors commonly cited as possible causes of salmonid reductions include the construction of Trinity and Lewiston Dams (and subsequent reduced stream flows), the 1964 flood, over harvest of salmon, and intensive logging practices. Trinity and Lewiston Dams are migration barriers which block salmon and steelhead from 109 miles of suitable reproductive habitat. The loss of this habitat has contributed to the reduction of fish numbers. Fish habitat in the basin is limited by reduced flows and the physical condition of the Trinity River and its tributaries. Historical spawning beds composed of clean gravel and cobble have become embedded with fine sediment deposits. The habitat losses resulting from the sedimentation of the river channel have reduced the reproductive carrying capacity of this portion of the Trinity River. The Trinity River hatchery was constructed in order to mitigate the loss of salmonids that were historically produced above the dam sites. Each year, the hatchery artificially spawns

returning adult chinook, coho salmon, and steelhead. Numbers of returning adults have varied widely with each species since the hatchery began operation (NR&H, Vol II; pg. 64) .

There are 5 wildlife species listed as sensitive by the Forest Service that could potentially exist in the project area. These include the Klamath/Trinity chinook salmon, Klamath/Trinity Steelhead Trout, Foothill Yellow-Legged Frog, Northern Red-Legged Frog, and the Southern Torrent Salamander.

The Klamath and Trinity Rivers upstream of the Trinity River confluence are the watershed areas containing chinook salmon. Both rivers contain upstream chinook hatcheries and it is difficult to differentiate between hatchery fish and naturally produced fish. Both spring and fall races are present, so adult chinook enter these rivers almost year round. The spring chinook are referred to as the "stream-maturing" type. They enter fresh water in a sexually immature condition and require several months to mature and spawn. These "springers" spend their summer holding in pools waiting to spawn in September. The fall chinook spawn mainly between October and December. The majority of juveniles from both races outmigrate by June of the following year, but some are present year round. Chinook are present adjacent to the project site during the period when work would occur (Frey, 2003).

Both summer and winter races of steelhead are found in the Klamath basin. Summer steelhead are also referred to as a "stream-maturing" type. They enter fresh water in a sexually immature condition and require several months to mature and spawn. They enter the Trinity River in late March through June with spawning occurring December through February. Winter steelhead enter the Trinity River from September through April with spawning occurring January through May. Typically, steelhead spend two years in freshwater before smolting. Steelhead are present adjacent to the project site year round, so they are there during the period when work would occur (Frey, 2003).

Foothill Yellow-Legged Frogs are fairly common on the rocky perennial river tributaries within the Forest, but they are not common along most rivers. They prefer higher gradient, shallower streams with more canopy cover and less vegetative streamside cover than do the Northern Red-Legged Frog. The FYLF population is considered stable within the Forest. The FYLF occur in limited numbers within the project area and in greater numbers in adjacent areas (Frey, 2003).

The Northern Red-Legged Frogs require ponds, pools in slow streams, marshes, or reservoirs with submerged vegetation for egg attachment, a depth of greater than one meter to accommodate singing males, and a minimum stream width of greater than 2 meters. This frog is found in coniferous/mixed hardwood forest types with greater than 50% canopy closure and downed logs present both in and out of the water. It does not tolerate temperature extremes well. Embryos die if water temperatures exceed 70 degree F or drop below 39 degrees F. This species is not common within most of the Forest and suitable habitat is limited. This species has declined in abundance in portions of its range. Threats to this species include: fragmentation, alteration, or loss of habitat resulting in increased water temperatures, decreased pool depth, or decreased riparian vegetation; and introduction of exotic fishes and/or bullfrogs. NRLFs have never been documented within or adjacent to the analysis area (Frey, 2003).

Southern Torrent Salamanders live primarily in seeps and headwater streams where the water remains cold year round. They are typically found in disjunct populations on north-facing slopes and relatively high elevations. STSs have never been documented within or adjacent to the analysis area (Frey, 2003).

The previously mentioned Chinook salmon, Coho salmon and steelhead trout that use the Trinity River are also listed by the California Department of Fish & Game (DFG) as "species of special concern". Special status species are those legally protected by state or federal endangered species laws, those under consideration for such protection or those of concern to state or federal resource agencies. These are likely to be listed as 'Threatened' in the near future.

The project area is mainly important for anadromous fisheries as a migration route to and from the upstream spawning grounds; however some spawning has been noted in this reach of the Trinity River. Halligan (1997) has observed spawning activity in the Willow Creek project area during migration dive surveys (Berg, pg. 124). Up-

stream migration of adult salmonids occurs generally in mid November through February and from December through March for steelhead. Several of the adjacent tributary creeks, including Willow Creek, are periodically blocked off at their mouths by the aggraded condition of the Trinity River.

Downstream migration of juvenile salmon and steelhead occurs early spring so as to avoid low flows and high temperatures. Most downstream migration occurs in evening hours. Downstream migration of juvenile salmonids is concentrated prior to or at the beginning of normal extraction periods on the Trinity River.

Major problems within the watershed include sedimentation and elevated temperatures lethal to salmonids, TMDLs have been established for these factors. The mainstem Trinity River was listed as water quality limited due to sediment by the State of California. A Total Maximum Daily Load (TMDL) analysis was scheduled for completion in 2001 by the EPA under Section 303(d) of the Clean Water Act (Berg, pg. 120).

Extraction strategies at this site continue to consider incorporating, where possible, the cooler water seeps and access to bedrock scour pools and overhanging vegetation into the designs that allows healthy cover for rearing salmonids.

Analysis:

a) The project will not have a substantial adverse affect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, of by the California Department of Fish & Game or U.S Fish & Wildlife Service.

Biological studies have been performed and continue to produce an interactive and comprehensive baseline analysis of the habitat and wildlife in the area. This monitoring information (anadromous fish, riparian vegetation, etc) is annually reviewed and requires agency approval based on this information. This information is utilized to avoid project designs that would have an adverse impact on habitat and wildlife.

The past and proposed gravel mining operations involve no in-water work, except for the placement of gravel approach ramps for the low flow, summer bridge crossings. The gravel bar has been left smooth at the end of the extraction season in a manner that avoids any catchment ponds capable of trapping fish. Therefore no adverse impacts to Klamath Mountains Province ESU steelhead or coho salmon are anticipated.

b) The project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service.

Vegetation mapping, including rare plant surveys was completed in 1994, 1997, and updated in 2000. Established riparian vegetation is left intact and not impacted by extraction activities.
Standards of the resource agencies protect existing riparian vegetation. Where riparian vegetation was limited in extent in pre-project photos, alternative extraction designs used over the last several years have allowed riparian vegetation to be established adjacent to the stream channel and remain unaffected by extraction activities. Large woody debris encountered during gravel extraction is left on gravel bars after extraction.

Because the project area and its surroundings have been disturbed by residential, commercial, public use, and industrial uses, the area is home to some undesirable exotic, invasive plant species such as Yellow Starthistle and annual grasses. The reclamation plan calls for the monitoring of revegetation efforts to help reduce the number of invasive species competing at the site. Compliance with the revegetation portion of the reclamation plan will mitigate the potential for the invasion of undesirable exotic plant species at the site upon closure of the operation.

c) The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

No wetlands other than the stream channel features exist within the project area. No equipment is operated in flowing waters during extraction activities. No in-water work occurs, except for the placement of gravel approach

ramps for the low flow, summer bridge crossings. Temporary stream crossings of the river are generally limited to temporary flat car bridges unless otherwise approved by resource agencies. Placement of these and any other water edge operations are performed so as to be completed before evening hours when fish migration is most likely to occur.

d) The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Pre-1969 conditions and use of the process site by wildlife species is unknown, though would be expected to be similar to surrounding pasture/rural residential uses that existed at the time. The proposed project, which consists of renewing required permits and approvals, will not alter the area since the project has been used for the past 34 years in a similar manner.

Human presence and extraction activities may have the effect of disturbing some wildlife during times of operation. There is the potential for impacts on some wildlife species resulting from the project activity and noise levels produced by the equipment that will be used. The project vicinity is already developed for residential, agricultural, highway, commercial, industrial, and recreational uses. Therefore, it is assumed wildlife living in the area have already adapted to existing disturbances and would not be further disturbed by this project. More sensitive species would tend to move away from activity areas or make use of the area during evening, night, early morning and times of the year the project is not in operation. Since the project site is small, wildlife moving from one place to another would be expected to go around the activity area when it is in operation. The project will not substantially interfere with wildlife nurseries as activity occurs outside prime breeding seasons.

Blockage or construction activity in the stream channel could hamper migration efforts, affecting both necessary stream flow and water quality (turbidity). No equipment is operated in flowing waters during extraction activities. It would be important that stream channel topography would allow for water depths sufficient for upstream migration in case of low-flow conditions in early winter months. The gravel bar has been left smooth at the end of the extraction season in a manner that avoids any catchment ponds capable of trapping fish.

Since river and bar conditions vary greatly from year to year, standard extraction techniques approved one year may not be the best for following years. The applicant has considered alternatives compatible with specific river conditions during annual County reviews.

e) This project does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The importance of existing gravel extraction operations is recognized by the Humboldt County General Plan – Frame Work Plan (see 9, Land Use and Planning).

In addition to the general biological resources policies in the County General Plan, the County maintains Streamside Management Areas (SMAs) to protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and other conditions detrimental to water quality. The width of the SMA on this section of river is 100' on either side of the river (§ 3432 (5) (A) of the General Plan). Development within the SMAs is very restricted and is subject to implementation of numerous mitigation measures designed to protect the habitat quality of the SMA. Mineral extraction consistent with other County regulations is allowed within SMAs. This project is consistent with those other County regulations and the SMA development standards (§3432 of the General Plan).

f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The property included in the project area is not within or subject to any habitat conservation plan.

a-f. The project site has been in operation as a sand and gravel mining operation and processing facility since 1969, and, as such, has been highly disturbed by mining operations under the current CUP/SP. Various heavy equipment are currently operated on the project site, including an aggregate crusher and an asphalt

plant, and mining and hauling of materials currently occurs. The use of heavy equipment and mining activities on the project site would essentially discourage most wildlife species from residing on the project site. Furthermore, the portions of the project site not fully disturbed by mining activities are made up of primarily ruderal vegetation and existing sand and gravel dredger tailings. Trees would not be removed with implementation of the proposed project, as the proposed concrete batch plant would be placed within the existing on-site processing area, adjacent to existing heavy equipment. Thus, due to the highly disturbed nature of the area and lack of essential habitat, the likelihood for any special-status species to currently exist on-site is very low. Similarly, due to the highly disturbed nature of the project site, resident or migratory wildlife corridors, or wildlife nursery sites are not expected to exist on the project site, and the project would not interfere with the movement of resident of migratory wildlife species.

The potential exists for species to be located in, or in the immediate vicinity of, the nearby riparian habitat of the Trinity River. However, existing operations associated with or near the Trinity River stream channel are permitted and regulated per the existing CUP/SP. The proposed project does not involve modifications to any existing operations associated with the Trinity River channel. Accordingly, an increase in the potential impacts related to the Trinity River special-status species, riparian habitat, or fill or hydrological interruption would not occur as a result of the proposed project.

The proposed project site is not within any adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan area. It should be noted that the California Aquatic Habitat Conservation Plan, the objective of which is to enhance habitat for six cold-water adapted fish and amphibians through forest and environmental enhancement measures, is currently in the early stages of development, but has not yet been prepared or adopted.

Overall, the proposed project would not increase the potential for impacts related to affect any special-status species, riparian habitat or other sensitive natural community, federally protected wetlands, resident or migratory species, or wildlife corridors or nursery sites from existing conditions. The project would not conflict with any local policies or ordinances protecting biological resources or the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. Therefore, ***no impact*** related to biological resources would occur as a result of implementation of the proposed project.

Cumulative Impact: Chinook salmon, Coho salmon and steelhead trout and their designated critical habitats are currently listed as 'Threatened' under the Federal Endangered Species Act. Some of the major factors commonly cited as possible causes of salmonid reductions include the construction of Trinity and Lewiston Dams (and subsequent reduced stream flows), the 1964 flood, over harvest of salmon, and intensive logging practices of the past. Existing project mitigation measures required by the regulatory agencies ensure that gravel extraction operations have an insignificant impact on 'threatened' salmonid species in the Trinity River. Therefore, the project as proposed with existing mitigation measures will not cause a cumulatively considerable impact to 'threatened' salmonid species in the Trinity River.

Existing Project Mitigation:

1) As required as part of the County's annual review process (as well as other state/federal agencies) and based on submittal of annual monitoring information, annual adaptive management strategies are incorporated to address the concerns of the Endangered Species Act.

2) Pre and post-extraction monitoring and reporting requirements include annual biological monitoring, evaluation and comparisons of bi-annual aerial photographs, and evaluation of recent and historical cross-section data. The physical monitoring and aerial photo analyses track changes in cross-sectional channel characteristics. Biological monitoring includes instream habitat mapping, temperature monitoring, snorkel surveys, and vegetation monitoring. The fisheries monitoring data has provided information on habitat types through extraction reaches, run-timing, location of redds, and salmonid habitat use in extraction reaches.

3) The gravel bars are left smooth at the end of the extraction season in a manner that avoids any catchment ponds capable of trapping fish.

4) Any riparian vegetation or wetland that is to be disturbed must be clearly identified by mapping. Impacts to riparian vegetation that is part of a contiguous 1/8 acre complex, or is at least 2 inches diameter breast height (DBH) that is disturbed by gravel extraction related activities must be mitigated. Impacts to other woody vegetation must be described and submitted to the Corps with the gravel extraction plans. These impacts may require mitigation at the discretion of the Corps.

5) Mercer, Fraser Co. shall make every reasonable effort to conduct the activities authorized herein in a manner that will minimize any adverse impact of the work on water quality, fish and wildlife, and the natural environment, including adverse impacts to migratory waterfowl breeding areas, spawning areas, and riparian areas. No authorization will be granted under this procedure for any activity that is likely to jeopardize the continue existence of a threatened or endangered species or a species proposed for such designation, as identified under the Endangered Species Act, or that is likely to destroy or adversely modify the critical habitat of such species. Mercer, Fraser Co. shall notify the Army Corps of Engineers, Six Rivers National Forest, and other agencies with jurisdiction if any listed species, proposed species, or critical habitat might be affected by or is in the vicinity of the project. Extraction activities shall not begin until notification is received that the requirement of the Endangered Species Act have been satisfied and the activity is authorized.

Mitigation M-2: No additional required. Applicant shall continue to abide by the County's annual review process (as well as other state/federal agencies) and based on submittal of annual monitoring information, annual adaptive management strategies are incorporated to address the concerns of the Endangered Species Act.

5. CULTURAL RESOURCES.

Findings:

a) The project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5: No impact.
b) The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5: No impact.
c) The project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature: No impact.
d) The project will not disturb any human remains, including those interred outside of formal cemeteries: No impact.

Setting:

Willow Creek, 13 miles south of the Hoopa Valley Reservation, is known as a historically and culturally significant location for Native Americans and European settlers.

The project site is consistent with what has been utilized or permitted in the past. The process site and extraction areas have been utilized for 34 years and no significant finds of historic, archeological, and paleontological resources or human remains have occurred during this time period. Extraction areas are subject to high winter flows, replacing surface gravel materials on an annual basis. Prior to this use the site was used as a County airport.

Analysis:

a) The project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.

Discussion for finding c) applies to findings a), b), & c).

b) The project will not cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5.

Discussion for finding c) applies to findings a), b), & c).

c) The project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

The project area contains no known historical, archeological, or paleontological resources based on review of County Resource information from the Natural Resources Division of the County Public Works Department (during previous project approval). The process site and extraction areas have been utilized for 49 years and no significant finds of historical, archeological, or paleontological resources have occurred during this time period. Annual extraction occurs on portions of gravel bars that are inundated and disturbed every winter by high flows.

d) The project will not disturb any human remains, including those interred outside of formal cemeteries.

The project area contains no known human remains. The process site and extraction areas have been utilized for 49 years and no finds of human remains have occurred during this time period. Annual extraction occurs on portions of gravel bars that are inundated and disturbed every winter by high flows.

The proposed project site has been highly disturbed by existing mining operations that have been undergoing since 1969, and are currently permitted and regulated per the existing CUP/SP. Due to the historical and ongoing disturbance of the site, sites of known cultural or archaeological resources do not occur on the project site and surface artifacts are unlikely to occur. Similarly, due to the historical and ongoing mining activities associated with or near the Trinity River, the possibility of uncovering any unidentified archaeological resources, paleontological resources, or human remains within the channel area during future such activities is very low. The proposed project would not modify any of the existing mining or processing operations associated with the site, with the exception of the addition of a concrete batch plant. The concrete batch plant would be located within the existing processing area adjacent to existing heavy equipment. Accordingly, new areas of ground disturbance or excavation would not occur with implementation of the proposed project. Therefore, an increase in the potential to encounter any historical, archaeological, or paleontological resources or human remains from current conditions would not occur as a result of the proposed project. Unique geologic features do not occur on the project site. Therefore, ***no impact*** would occur related to cultural resources as a result of implementation of the proposed project.

Cumulative Impact: The project area contains no known historical, archeological, or paleontological resources, or human remains based on review of County Resource information from the Natural Resources Division of the County Public Works Department (during previous project approval). The process site and extraction areas have been utilized for 34 years and no significant finds of historical, archeological, or paleontological resources, or human remains have occurred during this time period. Cumulative impacts to cultural resources are not cumulatively considerable since no cultural resources are known to exist or have been found on the site.

Existing Project Mitigation:

1) In the event that any prehistoric, historic, or paleontological resources are discovered during project operations, all work within fifty feet of the resource shall be halted and the operator shall consult a qualified archaeologist or paleontologist to assess the significance of the find. If any find were determined to be significant by the qualified archaeologist and/or paleontologist, then representatives from Mercer, Fraser Co. and the qualified archaeologist and/or paleontologist would meet to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist and/or paleontologist according to current professional standards.

2) Should human remains be encountered, the County Coroner shall be contacted immediately. Should the Coroner or archaeologist determine that the remains are likely those of a Native American, the California Native American Heritage Commission shall also be contacted. The Heritage Commission will then consult with the most likely Native American descendants from the area to determine appropriate treatment of the remains.

Mitigation: None required.

6. GEOLOGY AND SOILS.

Findings:

a) i) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Divisions of Mines and Geology Special Publication 42: No impact.

a) ii) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking: Less than significant impact.

a) iii) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction: No impact.

a) iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides: No impact.

b) The project will not result in substantial soil erosion or the loss of topsoil: Less than significant impact with mitigation.

c) The project will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse: Less than significant impact.

d) The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property: No impact.

e) The project will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water: No impact.

Setting:

The Trinity River basin, with a drainage area of 2,969 square miles is dominated by steep, rugged mountains rising above swift-flowing streams and narrow valleys. The Trinity River basin lies within Humboldt and Trinity counties in the Klamath Mountains in California. Elevations in the basin range from 300 feet above mean sea level at the confluence with the Klamath River to 8,888 feet at the headwaters. The project site is located at approximately 400 feet mean above sea level.

The Trinity River basin is underlain by a complex assemblage of rocks that include pre-Cenozoic metamorphic rocks of unknown age; Paleozoic and Mesozoic sedimentary and volcanic rocks that in places are strongly metamorphosed; intrusive, ultramafic, and granite rocks of Mesozoic age; and unconsolidated deposits of Cenozoic age.

The morphology at this site generally consists of bends in the river with bedrock control both on the outer bend and in the channel (see Figure 3). As a result: 1) bedrock constrictions cause velocity decreases at flood stages and bedload deposits greater in volume and size at this location than other less confined reaches; 2) channel configuration is controlled by existing site features to a greater extent than bar changes due to gravel extraction. When the opportunity is available extraction is designed to compliment these influencing features rather than working contrary to the natural forces that have formed the prevailing stream morphology.

The geologic formation at the project site is the Franciscan Formation consisting of a mixture of Quaternary non-marine terrace deposits and recent alluvium consisting of unconsolidated gravel, sand and silt (SWHC, 1965). Analysis of site stratigraphy shows interbedded layers of sand to sandy gravel. These moderately consolidated materials result in high percolation rates as well as a low summer groundwater table.

Bedrock of the Galice formation is exposed along the base of the modern flood plain terrace deposit (airport surface). The Galice bedrock is steeply dipping and locally is interbedded meta sandstone and phillite (meta shale). The bedrock is fractured and faulted with the phillite being the most fractured. The phillite tends to be less resistant to erosion than the more competent sandstone. The bedrock is the basal boundary for channel scour and lateral migration (entrenched bedrock channel). The bedrock is exposed intermittently along both left and right banks.

The bedrock along the left bank is the base for an alluvial terrace surface. The bedrock surface is overlain by basal lag gravel and overbank flood sand and silt deposits. The surface of the terrace (airport surface) is periodically overtopped by high flow events. This terrace extends north approximately 500 feet and is in depositional contact with a bedrock bluff. The bedrock bluff forms a riser that separates the lower airport terrace and the higher (approx. 50 feet) Clover Flat terrace (SPC, 1999).

The project area has been mapped in Soils of Western Humboldt County (1965). No prime agricultural soils were identified. Soil-vegetation mapping units of the area rate the soils as medium to low potential for agriculture and low to high for timber production. Humboldt County (NR&H Report) has identified some of the project area as potential agricultural soils based on the fact that there are alluvial soils on less than 15% slope and that the area is not urban. No topsoil occurs within the process area or extraction areas. Any existing vegetation on top of the process area is very shallow rooted in compacted gravels, consisting primarily of annuals. This has been the case since prior to 1969.

The project site gravel bars are a depositional feature maintaining a bank-to-bank channel at flows exceeding +40,000 cfs (measured at the U.S.G.S. Hoopa Gauging Station) and have existed somewhat similarly since prior to the 1960's, as documented in the earliest available historic aerial photos. The surrounding upland area consists of historic river valley deposits associated with the meandering river channel. The majority of underlying materials on the terrace consists of varying degrees of river deposited silts and gravels. Moderately steep forested hillslopes surround the project site on all sides of the river valley deposits. The meandering stream channel exhibits the characteristics of a mature stream aggraded with an accumulation of gravels deposited from annual flooding events.

The wetted channel width at high flow varies from 250 feet in the more confined reaches to over 500 feet at the primary extraction area. The low flow channel is approximately 60 to 300 feet wide during the dry season. Of the total 57 acres below OHW, approximately 26 acres at most may be used for gravel extraction based on current configuration. The exact location varies each year depending on annual river conditions. Reclamation strategy for the active gravel bar is to leave streamside extraction areas free of adverse depressions, fills and equipment. The proposed extractions are consistent with this strategy.

Division of Mines and Geology Special Publication 42 does not show any Alquist-Priolo earthquake zones within or nearby the project area. Resource mapping indicates that the closest seismic feature is an inactive fault running in a north/south direction and located approximately 1.25 miles west of the project site. Humboldt County in general is at risk for strong ground shaking. In the North Coast Ranges, landslides and soil slips are common due to the combination of sheared rocks, shallow soil profile development, steep slopes, and heavy seasonal precipitation (NR&H Report; pg. 10-9).

Analysis:

a) i) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Divisions of Mines and Geology Special Publication 42.

Discussion for finding a) ii) applies to both findings a) i) & a) ii).

a) ii) The project will expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

Division of Mines and Geology Special Publication 42 does not show any Alquist-Priolo earthquake zones within or nearby the project area. Resource mapping indicates that the closest seismic feature is an inactive fault running in a north/south direction and located approximately 1.25 miles west of the project site. The project will not result in risks associated with a fault rupture. The project does not involve any occupied structures and only minimal equipment and workers; the project will not expose people or structures to potential substantial effects associated with strong seismic ground shaking.

a) iii) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.

Because of the large size and compaction of the cobble, the site is not subject to liquefaction or any other type of ground failure.

a) iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

The majority of the extraction areas are located on the flat gravel bar, which is not at risk of landslides. The process site is located on top of a terrace, a minimum of 50 feet from the nearest slope edge.

b) The project will not result in substantial soil erosion or the loss of topsoil.

No topsoil occurs within the process area or extraction areas. Any existing vegetation on top of the process area is shallow rooted in compacted gravels, consisting primarily of annuals. This has been the case since prior to 1969. No topsoil will subsequently be required to be removed or stockpiled.

Primary extraction areas will be limited to alluvial gravel bars. Removal of gravel at the site will not be permanent as the bar is inundated and the gravel replenished during high flows in winters with normal rainfall.

Stormwater and erosion control measures are already in place at the proposed project site in accordance with the federal Clean Water Act and other applicable local, State, and federal requirements. Existing operations comply with the National Pollutant Discharge Elimination System (NPDES) General Permit associated with industrial activities. In addition, Best Management Practices (BMPs) are implemented in accordance with a Storm Water Pollution Prevention Plan (SWPPP). The aforementioned measures would continue to be employed at the project site under the proposed project, and would be modified as necessary to maintain compliance with all laws and regulations. Therefore, ***no impact*** related to soil erosion and the loss of topsoil would occur.

c) The project will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Gravel extraction in a general sense could potentially contribute to off-site landslides by altering hydrologic processes that in turn alter erosional processes. The proposed project is for the renewal of the current CUP/SP and Reclamation Plan, which is allowed by right under the current Conditions of Approval, and an amendment to the current CUP/SP to allow for a concrete batch plant at the existing processing facility. Approval of the proposed project would not modify the existing productions levels, materials to be mined, mining method, and the overall geographic area covered by the existing use permit and Reclamation Plan. The overall production and processing activities on the project site would be consistent with existing conditions, with the exception of introducing a concrete batch plant and ancillary equipment. The concrete batch plant would be placed within the currently permitted boundaries of the existing facility alongside other existing processing equipment. As such, the proposed additional processing equipment would be consistent with what already occurs on the project site.

According to the California Department of Conservation, Humboldt County is not listed as a city affected by an Alquist-Priolo earthquake fault zone. Active faults are not located in the vicinity of the project site. The nearest active fault to the project site is located approximately 20 miles west of the project site, near the coast. As such, groundshaking at the project site as a result of rupture at the nearest fault would not be expected to be substantial. In addition, the proposed project would not introduce any new buildings or structures that could be damaged by the associated effects of an earthquake. Thus, the proposed project would not result in exposure of people or structures to potential substantial adverse effects from seismic activity beyond what is currently existing or anticipated on the project site.

Implementation of the proposed project would not cause any currently stable geologic units or soils to become unstable. Expansive soils do not occur on the project site and would not pose a substantial risk to any people or structures on the project site. In addition, although the extended area surrounding the project site on either side of

the Trinity River consists of hillsides, because the proposed project site itself is generally flat, landslides would not be expected to occur on-site. The proposed project would not include a septic system. The existing on-site portable toilets would continue to be used and maintained by a pumping service licensed in Humboldt County.

Because strong seismic ground shaking and seismic-related ground failure, including liquefaction, landslide, lateral spreading, or subsidence would not be expected to occur on the site, and because the project would not involve a septic system, people or structures would not be exposed to potential effects associated with earthquakes, unstable soils, or soils incapable of supporting a septic system would not occur. Therefore, ***no impact*** associated with such would occur.

d) The project will not be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

Expansive soils do not exist in the project area. The expansion of soils will not create a substantial risk to life or property in the project area.

e) The project will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Although the soils in the project area may not support a septic system, none is proposed. Portable chemical toilets are provided for employees and are maintained by a pumping service licensed in Humboldt County.

Cumulative Impact: As described previously the project will not individually have geologic or soil related impacts. The project is a time extension of an existing operation. The Willow Creek site was not determined in the past to cause a cumulatively considerable impact to the geology & soils of the surrounding area, and as proposed consistent with past operations would not therefore be determined to be a cumulatively considerable impact.

Existing Project Mitigation: None.

Mitigation: None proposed.

7. Greenhouse Gas Emissions.

Findings:

a. The project wold not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

b. The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses.

Discussion

a,b. Emissions of greenhouse gases (GHGs) contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. A project's GHG emissions are at a micro-scale relative to global emissions, but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact.

All past, present, and reasonably foreseeable future projects contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of CO_2 and other GHG pollutants, such as methane (CH_4) and nitrous oxide (N_2O), from mobile sources and utility usage.

The proposed project would not modify the current production levels, hours of operation, materials to be mined, mining method, or the overall geographic area covered by the existing CUP/SP and Reclamation Plan. Equipment and fuel systems currently in place to serve the existing mining operation on the project site would continue to be used. The only modification to existing on-site operations would be the addition of a concrete batch plant and ancillary equipment. Thus, the only increase in GHG emissions from what is currently being emitted at the project site from existing mining operations would be associated with the concrete batch plant operations, which would require a new permit to operate from the NCUAQMD. Because the proposed concrete batch plant would run on electricity that is currently supplied to the existing site, direct emissions of GHGs would not occur as a result of the concrete batch plant operations.

The proposed concrete batch plant operations could involve a maximum daily increase of approximately 12 truck trips over existing levels during peak production periods, which would result in emissions of GHGs. The trips would consist of concrete mixing trucks coming to the project site to be filled and hauling the concrete directly to construction sites. It should be noted that aggregate materials mined and stockpiled at the site are currently hauled to off-site concrete batch plants in the County or stockpiled on-site for use in the on-site hot mix asphalt plant. By providing a concrete batch plant on-site, the proposed project would eliminate the need for hauling off the aggregate materials to an off-site location for further processing. Thus, an overall reduction in regional vehicle miles traveled (VMT) due to the elimination of haul trips to an off-site concrete batch plant, and then hauling of the processed concrete from that off-site location to a construction site, would likely occur. In addition, due to the size and class of the haul trucks currently utilized to haul the aggregate off-site, such trucks would involve higher emissions than the smaller concrete mixing trucks that would be utilized with implementation of the proposed project.

Although the proposed concrete batch plant would result in a slight increase in the number of daily truck trips associated with the site, a reduction in regional VMT would also be expected to occur as a result. Consequently, the proposed project would not result in a substantial increase in GHG emissions associated with the site and could contribute to an overall regional benefit with regards to GHG emissions and global climate change. Thus, the proposed project would not conflict with any plan, policy, or regulation adopted for the purpose of reducing GHG emissions, would not create an increase in GHG emissions that would impact the environment, and ***no impact*** related to GHG emissions and global climate change would occur.

8. HAZARDS AND HAZARDOUS MATERIALS.

Findings:

a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials: Less than significant impact.
b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment: Less than significant impact.
c) The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school: Less than significant with mitigation.
d) The project will not be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment: No impact.
e) The project will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area: Less than significant impact.
f) The project will not, for a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area: Less than significant impact.
g) The project will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan: Less than significant impact.

h) The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands: Less than significant impact.

Setting:
The site is not included on any list of hazardous materials sites.

Diesel fuel, various oils and other potentially hazardous materials are stored onsite for use in mechanized equipment and operation of the asphalt cement hot plant. The use and storage of these materials are regulated primarily through the Humboldt County Division of Environmental Health. This process ensures that hazardous materials are properly regulated; handled, monitored and potential impacts are mitigated. Mercer, Fraser Company has a Hazardous Materials Business Plan (Site ID # CAL 000254464) approved and on-file with the County. This includes an Emergency Response Plan, Employee Training Plan and Spill Prevention Control and Countermeasure Plan (SPCC).

The Trinity Valley Elementary School is located across Highway 96 from the upland processing site. The Trinity Valley Elementary School property is located approximately 200 feet from the western boundary of the processing area and 800 feet from processing equipment.

An old County airport strip (closed) is located on parcel 522-491-020 which is part of the 38.5 acre processing site. Currently, some of the stockpiles and a portion of the settling basin are currently located on the parcel with the airport strip. The airport strip is owned by both Mercer, Fraser Company and Six Rivers National Forest and is currently only used for emergency purposes. The airport strip is used by the Forest Service and the California Department of Forestry and Fire Protection (CDF) for fire fighting activities and by emergency medical transport for patients needing medical attention in Eureka or Redding.

The project site contains mainly riparian vegetation and grasses and is subject to minimal risk from wildland fires. Surrounding the project site are timberlands which are subject to substantial risk from wildland fires.

Analysis:

a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Discussion for finding *b)* applies to both finding *a)* & *b)*.

b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Portland cement is a light gray powder that poses little immediate hazard, and a single short-term exposure to the dry powder is not likely to cause serious harm. However, exposure of sufficient duration to wet portland cement can cause serious, potentially irreversible tissue (skin or eye) destruction in the form of chemical (caustic) burns. The same type of tissue destruction can occur if wet or moist areas of the body are exposed for sufficient duration to dry portland cement.This project does not involve the handling of acutely hazardous materials, substances or waste or the emissions or disposal of hazardous substances. Though operations require on-site fuel for equipment, standards of operation minimize potential impacts of spills from this project. With the Hazardous Materials Business Plan (Site ID # CAL 000254464), Emergency Response Plan, Employee Training Plan and Spill Prevention Control and Countermeasure Plan (SPCC) in place, the hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials in the environment shall be insignificant.

Public health and safety concerns include both on-site and off-site impacts. This project will not have a significant increase of risk to people on-site due to the following: it is in an isolated location; access is controlled by locked gates; material to be excavated is structurally stable and no attractive nuisance to encourage trespass exists. Extraction and processing at this site will likely continue indefinitely. No 'abandoned' equipment, structures, refuse, etc. associated with extraction and processing activity will remain on the reclamation site or elsewhere on the par-

cel after extraction has been discontinued. If the current use is discontinued, the site will be incorporated into other current uses and/or utilized for future purposes consistent with current zoning. Equipment will be removed unless a specifically approved use can make use of this equipment.

An application for the permit to operate for the concrete batch plant and ancillary equipment has been submitted to the NCUAQMD for review and approval. According to the application, the concrete batch plant is anticipated to produce approximately 10,000 cubic yards of concrete per year at a rate of 110 cubic yards per hour. Using the aforementioned assumptions in conjunction with information from the U.S. Environmental Protection Agency (USEPA) Emission Factors and AP 42, Compilation of Air Pollutant Emission Factors, for concrete batching, the application includes an estimate of the total PM_{10} expected from the concrete batch plant of 4.54 pounds per hour (i.e., approximately 49.94 pounds per day) and 0.22 tons per year. In comparison to the significance thresholds shown in Error! Reference source not found., the concrete batch plant is not anticipated to exceed the BACT emission rates for stationary sources. It should be noted that the proposed concrete batch plant and associated equipment would include dust control systems to minimize or avoid dust production associated with the proposed process. In addition, the proposed project is required to comply with all applicable NCUAQMD rules and regulations.

The proposed project would not modify the existing production levels, hours of operation, materials to be mined, mining method, or the overall geographic area covered by the existing CUP/SP and Reclamation Plan. Equipment and fuel systems currently in place to serve the existing mining operation on the project site would continue to be used. The only modification to existing operations would be the addition of a concrete batch plant, which would be located within the existing processing area adjacent to existing on-site heavy equipment. The concrete batch plant process does not involve the transport, use, disposal, or handling of any chemicals or materials that would be considered hazardous. Because the proposed concrete batch plant would not increase the routine transport, use, or disposal of hazardous materials from existing conditions, the proposed project would not result in any increase in the associated potential to create a significant hazard to the public or the environment. Public health and safety precautions are currently in place at the project site in accordance with local, State and federal standards, and would continue to be with implementation of the proposed project. In addition, Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations and standards are presently employed to protect both the public and on-site employees, and would continue to be employed under the proposed project. Therefore, although the proposed project site is within one-quarter mile of an existing school, because the concrete batch plant would not involve any increase in hazardous materials handling at the project site and would comply with all applicable regulations regarding hazardous materials, ***no impact*** related to creating a significant hazard to the public or the environment associated with hazardous materials would occur.

c) The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Trinity Valley Elementary School is located approximately 200 feet from the western boundary of the processing area. This project does not involve the handling of acutely hazardous materials, substances or waste or the emissions or disposal of hazardous substances. With the Hazardous Materials Business Plan (Site ID # CAL 000254464), Emergency Response Plan, Employee Training Plan and Spill Prevention Control and Countermeasure Plan (SPCC) in place, the hazard to Trinity Valley Elementary School through the handling or transport of hazardous materials will be insignificant.

An application for the permit to operate for the concrete batch plant and ancillary equipment has been submitted to the NCUAQMD for review and approval. According to the application, the concrete batch plant is anticipated to produce approximately 10,000 cubic yards of concrete per year at a rate of 110 cubic yards per hour. Using the aforementioned assumptions in conjunction with information from the U.S. Environmental Protection Agency (USEPA) Emission Factors and AP 42, Compilation of Air Pollutant Emission Factors, for concrete batching, the application includes an estimate of the total PM_{10} expected from the concrete batch plant of 4.54 pounds per hour (i.e., approximately 49.94 pounds per day) and 0.22 tons per year. In comparison to the significance thresholds shown Error! Reference source not found., the concrete batch plant is not anticipated to exceed the BACT emission rates for stationary sources. It should be noted that the proposed concrete batch plant and associated equipment would include dust control systems to minimize or avoid dust production associated with the proposed pro-

cess. In addition, the proposed project is required to comply with all applicable NCUAQMD rules and regulations. **Less than significant with mitigation.**

Mitigation M-3 Hazardous Materials: The proposed concrete batch plant shall utilize Best Available Control Technology for emissions from stationary sources and shall include dust control systems to minimize or avoid dust production associated with the proposed process.

d) The project will not be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

The site is not included on any list of hazardous materials sites, and will not increase the risk of exposure to hazardous materials.

e) The project will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area.

Substantial safety risks would not occur to people residing or working in the project area due to use of the airstrip, as it was used by the County in the past. The airstrip is currently closed for public use. It is currently used for emergency purposes by CDF, Forest Service, and emergency medical transport without any safety problems. Other private use is very limited.

f) The project will not, for a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area.

The project is not within two miles of a public airport and is not within an airport land use plan. Although a private airstrip exists within the project site, the airstrip is only utilized for emergency purposes and is an existing condition. People would not reside on the project site and the nearest residence is located 1,200 feet from the project site, opposite Trinity River. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area, and ***no impact*** would occur.

g) The project will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Because of its small size and scope and isolated location, this project will not interfere with any emergency response or evacuation plan. The project has operated for over 30 years without any problems.

The proposed project may, at times, result in increased truck traffic. Traffic generated by this project, as discussed within this report, is similar to the type of traffic that has historically existed since 1969. Reapproval of the project will not change the existing level of traffic. There have been no traffic related safety problems in the past 34 years.

The proposed concrete batch plant would not modify the access roadways or the existing street system. Therefore, interference with any adopted emergency response plan or emergency evacuation plan would not occur, and ***no impact*** would occur.

h) The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to an urbanized area or where residences are intermixed with wildlands.

Extraction activity will occur on the gravel bar, away from vegetation, and will not increase the risk of wildland fires. The access roads shall be maintained in a state such that they are free of vegetation during times of activity, and equipment is kept in a 'fire-safe' condition.

The project site is highly disturbed and is adjacent to Trinity Creek and State Highway 96. Portions of the project site not fully disturbed by existing mining activities are made up of primarily ruderal vegetation and existing sand and gravel dredger tailings. The only modifications to the existing on-site operations would be the addition of a concrete batch plant. The concrete batch plant would be placed within the highly disturbed existing processing area of the site, adjacent to existing heavy equipment. Therefore, the concrete batch plant would not increase the potential for people or structures to be exposed to risks involving wildland fires from existing conditions, and ***no impact*** would occur.

Cumulative Impact: This project does not involve the handling of acutely hazardous materials, substances or waste or the emissions or disposal of hazardous substances and is not included on any list of hazardous materials sites. The Hazardous Materials Business Plan (Site ID # CAL 000254464), Emergency Response Plan, Employee Training Plan and Spill Prevention Control and Countermeasure Plan (SPCC) are in place. The hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials in the environment will not be significant. Because of its small size and scope and isolated location, this project will not interfere with any emergency response or evacuation plan. Extraction activity will occur on the gravel bar, away from vegetation, and will not increase the risk of wildland fires. The access roads shall be maintained in a state such that they are free of vegetation during times of activity, and equipment is kept in a 'fire-safe' condition. The Willow Creek site was not determined in the past to cause a cumulatively considerable addition to hazards & hazardous materials occurring in the surrounding area, and as proposed consistent with past operations would therefore not currently be determined to be a cumulatively considerable addition.

Existing Project Mitigation:

1) Mercer, Fraser Company has a Hazardous Materials Business Plan (Site ID # CAL 000254464) approved and on-file with the County. This includes an Emergency Response Plan, Employee Training Plan and Spill Prevention Control and Countermeasure Plan (SPCC).

2) All heavy equipment/machinery will be fitted with state approved ABC spark arrestors prior to operating on site.

Mitigation: None proposed.

8. HYDROLOGY AND WATER QUALITY.

Findings:

a) The project will not violate any water quality standards or waste discharge requirements: Less than significant impact with mitigation.
b) The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted): Less than significant impact.
c) The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site: Less than significant impact.
d) The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site: Less than significant impact.
e) The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff: Less than significant impact.
f) The project will not otherwise substantially degrade water quality: Less than significant impact.
g) The project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map: No impact.
h) The project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows: Less than significant impact.

i) The project will not expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam: Less than significant impact.
j) The project will not result in inundation by seiche, tsunami, or mudflow: No impact.

Setting:

The Trinity River basin covers approximately 2,969 square miles in the Klamath Mountains of northern California. It is the largest tributary of the Klamath River. The lower extent of the basin is at Weitchpec, where the Trinity enters the Klamath River, and the basin extends approximately 250 miles upstream to the headwaters above the Lewiston/Trinity Dam. Approximately one fourth of the watershed area is above Lewiston Dam. The Bureau of Reclamation exports Trinity River waters to the Sacramento River, and since 1964, up to 80% of the annual flow has been diverted. A 1992 Department of the Interior Secretarial Order required a minimum of 340,000 acre feet annually to remain in the Trinity River.
The mainstem Trinity River was listed as water quality limited due to sediment by the State of California. A Total Maximum Daily Load (TMDL) analysis was scheduled for completion in 2001 by the EPA under Section 303(d) of the Clean Water Act.

The Willow Creek project area is situated at River Mile 24 – 25. The wetted channel width at high flow varies from 250 feet in the more confined reaches to over 500 feet at the primary extraction area (Berg, pg. 120).

CHANNEL CONDITIONS
A sediment station was established at Hoopa in September 1955, and operated on a periodic basis until May, 1956. The station was re-established in October 1956, and operated on a daily basis until September 1970. The station collected suspended sediment and water discharge data for the period of operation. The Department of Water Resources (DWR) estimated the annual sediment discharge of the Trinity at Hoopa to be 2,520,000 tons of suspended sediment and another 600,000 tons of bedload for the period of record. Lehre (1993) recommended a conversion factor of 1.4 tons per cubic yard. Therefore, the estimated annual volume of bedload at Hoopa, based on DWR's (1974) bedload tonnage estimation is 428,571. However, Lehre estimated a range of mean annual recruitment for planning purposes of 250,000 – 400,000 cy, with 400,000 cy being a ceiling (Berg, pg. 121).

The Federal Emergency Management Agency (FEMA 1982) conducted a flood insurance study for Humboldt County in 1982. Part of this study included a longitudinal profile and cross-sections taken at the Willow Creek site. The FEMA information was compared to Mercer, Fraser monitoring cross-sections taken from 1993 – 1998, as well as a longitudinal profile conducted in 1996, and results showed that the bed of the Trinity River at the points surveyed in 1980 had aggraded an average of 10 feet in the 18 year period of time (Berg, pg. 121).

CHANNEL MORPHOLOGY
Major hydrologic features occurring on-site include the Trinity River stream channel and overflow channel and Willow Creek which enters the Trinity at the upstream end of the project area. The entire gravel bar is inundated at bankfull discharge levels and portions of the property are within the 100-year flood plain. Potential concerns could include upstream/downstream scour, changes in river energy causing erosion of river banks, riparian habitat changes, and sediment input in the river.

In general, when either aggradation or degradation of bed deposits, in relation to the annual replenishment rate, occurs within a flood plain there is a potential for significant erosion and sedimentation during flood conditions. A change in a river's configuration may also alter the direction and location of the river's erosive force causing a change in the meander pattern of the river. This change may possibly aggravate stream bank erosion both upstream and downstream of the extraction site. Changes in riverbed morphology are generally attributable to large flood events, rather than gravel extraction. Because of the magnitude of the other forces affecting sediment flow, at the past and projected rate of extraction, the gravel mining operations at the Willow Creek site are not expected to alter these erosion and sedimentation processes.

The largest sources of sediment transport by streams in the Trinity River basin probably originates from erosion of stream banks. Landslides and slumps are important local sources of sediment in places where rock units are highly fractured, slopes are steep, or barren soils are exposed. The Trinity River exhibits characteristics of a hydrologically-limited stream rather than a sediment-limited stream, meaning the continued supply of sediment in a reach is

a factor of the size and duration of winter flows rather than a question of whether there are sufficient sources of sediment. The variation in sediment discharge from year to year is commonly quite large and is generally dependent on the size of individual storms rather than annual water discharge. A few large storms result in more sediment being transported than normally result from many smaller storms.

DRAINAGE AND FLOODING

The process/stockpile area is located on the west bank of the Trinity River. The extraction area is located entirely within the primary flood plain of the river; the majority of the gravel bars can be expected to be inundated every year. Accumulation of sediments has occurred during past flooding events of substantial size. Adjacent creeks, such as Willow Creek, exhibit choked sediments at their mouths. Prior to 1964, gravel bar development in the area resembled at least in aerial extent, the current active channel configuration.

The process site is generally flat with drainage currently flowing primarily towards the north towards the existing settling basin. In this manner surface waters from the process site are prevented from directly entering waters of the State. As a secondary precautionary measure stockpiles and berms surrounding the processing site also retain surface flow to allow settling and prevent any stormwater discharge. These stockpiles and berms are maintained as part of annual winterization activities. The existing site grading, stockpiles surrounding the process site, and annual berms, directs drainage primarily to the settling basin or through ground percolation. No direct discharge from industrial activities into State waters occurs. Surface runoff is controlled pursuant to the Regional Water Quality Control Board 401 Certification.

Discharge for the December 1964, a 100-year flood, was at approximately 231,000 cfs and covered portions of the processing site with less-than-one-foot inundation. The February 1986 flood was approximately a 10-year flood event with a discharge of approximately 116,000 cfs. Flood levels in 1986 were well below the processing area. An overlay of FEMA flood maps (Humb. Co Panel 060060 0685 B, July 19, 1982) was made with both current and historic (1963) aerial photos and the USGS 7.5 minute topographic maps (Fig 3 shows current aerial photo overlay). The Zone A boundary is shown to cross Highway 96 just south of the processing site (elev. 442'). Based on only FEMA mapping (which did not consider the 30 foot tall stockpiles located between the River and the processing site) only portions of the processing site would have been subject to shallow flooding (1-2 feet) during a 100-year event under natural conditions. The site grading and placement of stockpiles and berms that has occurred since 1969 would remove the site from the FEMA-designated floodway.

The process site has not been flooded since it was developed in 1969 and has been outside of subsequent flood events (1974, 1986, 1993, 1995, and 1997) since the 1964 Flood. The processing site exists between XS 2 and 8, with XS 2 at the southern end and XS 8 at the northern end. At the southern portion of the processing site, at the end point of XS 2 (top of bank), the elevation is 446.33, 4 feet above the FEMA flood elevation of 442 feet. At the middle portion of the processing site, on the airstrip just north of XS 5, the elevation is 443 feet, 9 feet above the FEMA flood elevation of 434 feet. At the northern portion of the processing site, on the airstrip adjacent to XS 8, the elevation is 447 feet, 14 feet above the FEMA flood elevation of 433 feet. Between XS 2 and 4, stockpiles approximately 30 feet in height have been placed inbetween the River and the processing site which would block flood flows.

Analysis:

a) The project will not violate any water quality standards or waste discharge requirements.

All wastewater from processing activities is directed to the settling basin at the northern end of the processing site and percolates in to the groundwater table. As a secondary precautionary measure stockpiles and berms surrounding the processing site also retains surface flow to allow settling and prevent any stormwater discharge. These stockpiles and berms are maintained as part of annual winterization activities. No direct discharge from industrial activities into State waters occurs. The Willow Creek operation currently has a water quality, section 401, certification from the North Coast Regional Water Quality Control Board (WDID No. 1B02102WNHU).

No waste is produced from this type of project. All materials are stockpiled or processed on-site for future needs. Due to the nature of the activity and the proposed methods of extraction and processing, no waste will either be retained on-site or disposed off-site.

Mitigation M-4: Prior to any mining activity the applicant shall submit to the Regional Water Quality Control Board a "Stormwater Pollution Prevention Plan" to address the potential for runoff water from the site impacting adjacent streams. Any grading element of the plan shall conform with the provisions of the Uniform Building Code (UBC) and the recommendations and mitigation measures of the Geologic Report or Reclamation Plan geological section. The erosion control element of the plan shall incorporate Best Management Practices (BMP's) for Erosion and Sediment Control (ESC) as identified in the California Storm Water Best Management Practice Handbook for Construction Activity.

b) The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

Water is currently utilized for washing/processing material at the site and for air pollution control for the asphalt plant. Water comes from the Willow Creek Community Services District (WCCSD). Approximately 40,000 gallons/day has been used when the asphalt and aggregate plants are in operation. Most of this is returned to the groundwater table through percolation in the settling basin. The existing settling basin currently exists at the northern end of the processing site. The use of water from the WCCSD will have no impact on local groundwater supplies.

c) The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site.

The proposed project results in the removal and use of aggregates from the Trinity River. Because of the currently aggraded condition, the continual aggrading process and the tremendous amount of bedload coming down the Trinity River during winter flows, extraction of 40,000 cubic yards per year of material is not expected to be a significant loss from the system, even considering other operations on the river. Natural bedload transport processes will be a major factor that will allow future extraction yearly with the advent of annual high water flowing over the bar and reshaping the bar and replenishing gravel. The extent that this occurs will partially determine the extent of surface mining in subsequent years.

In general, when either aggradation or degradation of bed deposits, in relation to the annual replenishment rate, occurs within a flood plain there is a potential for significant erosion and sedimentation during flood conditions. A change in a river's configuration may also alter the direction and location of the river's erosive force causing a change in the meander pattern of the river. This change may possibly aggravate stream bank erosion both upstream and downstream of the extraction site. Changes in riverbed morphology are generally attributable to large flood events, rather than gravel extraction. Because of the magnitude of the other forces affecting sediment flow, at the past and projected rate of extraction, the gravel mining operations at the Willow Creek site are not expected to alter these erosion and sedimentation processes.

Removal of river gravel and the resultant stream channelization could potentially result in bed and bank erosion by concentrating flows in the Trinity River, thereby increasing the erosive forces of the river. Increased scouring of the stream channel could lead to increased sediment yield supplied to the river. Instream gravel extraction has the potential to significantly alter the cross sectional geometry of the river. The channel cross sectional geometry is an important variable in sediment transport. Therefore, the final configuration of a mined gravel bar plays a key role in determining the impact of the operation on the river's geomorphology. Extraction standards are detailed in the Mining Plan and are subject to annual review by the County, DFG and ACOE. These standards have been designed to, as needed, maintain channel capacity and adjacent bar morphology, reduce bank erosion, create deep-water habitat and reduce impacts to the environment. Monitoring information in the form of cross sections and aerial photos of the site prior to and after extraction are submitted annually to these agencies.

Annual cross-section analysis and aerial photos along with agency review will ensure that the project does not result in any changes to the hydrology of the river or drainage patterns on the site. At the termination of each gravel extraction season, post mining topography will be consistent and homogenous with the upstream and downstream

topography. Post project drainage from the gravel bars will continue to drain towards the River. The applicant/operator will be responsible for smoothing out the river bar so that no benches, trenches, wells or topographic features remain that degrade the environment (such as ponding, erosion, sedimentation or stream channel alteration). Site specific requirements are also required by the CA Department of Fish and Game for seasonal completion through the Stream Alteration (1603) Agreement. These would also be implemented as may be revised annually by DFG. Annual review and site inspections by regulating and interested agencies will continue to ensure impacts will not be significant.

The majority of the riverbanks adjacent to the extraction area consists of bedrock or aggregate deposits. Extraction will not occur in the active stream channel and generally will not occur adjacent to erosional riverbanks; slopes will not be destabilized. Site observations and analysis of aerial photos and cross sections have determined the acceptability of currently proposed extraction methods and locations. The area is subject to substantial alterations during large flood events, however review of the aerial photos and cross-sections indicate that the general geomorphology of the riverbed has not been altered as a result of the ongoing gravel extraction project. Disturbance from gravel extraction activities are considered minor in comparison to disturbances during flood events.

Removal of aggregates during low flow periods usually causes bedload sediment carried by high flow periods to drop out, thus naturally replenishing the excavated areas with an accumulation of bedload sediments. The amount of gravel being removed each year has proved to be replenished even during past drought years. Downstream of the project site, accumulated bedload sediments continue to occur in relative abundance. Ample gravel supply is also currently stored on upstream bars. In light of the fact that this operation has occurred for the past 34 years, with yearly extraction amounts of upwards to 40,000 cubic yards, having little impact on downstream accumulated gravels, amounts of up to 40,000 cubic yards of gravel per year for the next 15 years would not impact the sediment resource.

The Army Corps of Engineers determined in 1996, "*At the past and projected rates of extraction, the gravel mining on the Willow Creek Bar...are not expected to alter these erosion and sedimentation processes in the watershed.*"

d) The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site.

As noted above no significant changes in hydrology or drainage patterns will result from this project. As a result no changes in the current flood regime would result. Since gravel extraction operations actually result in only minor increases in channel capacity, downstream flooding would only be similarly reduced.

e) The project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

The proposed project will not result in an increase in runoff because it does not involve the creation of any impermeable surfaces. This application is proposed consistent with past operations. The site is not a part of an existing or planned stormwater drainage system.

All wastewater from processing activities is directed to the settling basin at the northern end of the processing site and/or percolates in to the groundwater table. As a secondary precautionary measure stockpiles and berms surrounding the processing site also retains surface flow to allow settling and prevent any stormwater discharge. These stockpiles and berms are maintained as part of annual winterization activities. No direct discharge from industrial activities into State waters occurs. The Willow Creek operation received a water quality, section 401, certification from the North Coast Regional Water Quality Control Board (WDID No. 1B02102WNHU).

No servicing of equipment (fueling or lubricating) occurs within the extraction area. In the event of an accidental lubricant or fuel leak (i.e., hydraulic lines breaking, etc.), operators have been instructed to move equipment to safer high ground (roadway or upper bench). If gravel is contaminated with a spill, the material will be removed and properly disposed. Any materials brought onto the extraction site shall be removed to the processing site at the end of the extraction season.

The project will not result in any polluted runoff. Adherence to Mining and Reclamation Plan Standards that conform to the Porter-Cologne Water Quality Control Act, Water Code section 13000, et seq., and the Federal Clean Water Act 301 et seq. (33 U.S.C. section 1251, 1311, 1344 et seq.) the Regional Water Quality Control Board or the State Water Resources Control Board and requirements of the permitting agencies will ensure that water quality is not degraded.

f) The project will not otherwise substantially degrade water quality.

The existing on-site operational and processing area is generally flat with drainage currently flowing primarily towards the existing settling basin to the north. The existing site grading, stockpiles surrounding the processing area, and annual berms direct stormwater to the settling basin described to allow the stormwater to percolate into the ground. Accordingly, surface waters from the processing area are prevented from directly entering Trinity River. Surface runoff is controlled pursuant to the existing NPDES General Permit for the industrial activities at the site. The only modifications to the existing operations would be the addition of a concrete batch plant and ancillary equipment, which would be placed within the existing processing area adjacent to other existing heavy equipment. An ancillary feature of the concrete batch plant is a washout basin, which would allow for an opportunity for additional on-site stormwater collection. Existing stormwater and erosion control measures are already in place at the proposed project site in accordance with the federal Clean Water Act and other applicable local, State, and federal requirements. Existing operations comply with the NPDES General Permit associated with industrial activities. BMPs are implemented in accordance with a SWPPP. The aforementioned measures would continue to be employed at the project site under the proposed project, and would be modified as necessary to maintain compliance with all laws and regulations. Overall, the concrete batch plant would not violate any water quality standards or waste discharge requirements or otherwise degrade water quality, and impacts would be ***less than significant***.

g) The project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map.

The proposed project does not involve the development of any new buildings on-site and would not modify the current production levels, hours of operation, mining method, or number of employees covered by the existing CUP/SP and Reclamation Plan. The only modification to operations would be the addition of a concrete batch plant. The concrete batch plant would be located within the existing on-site processing area adjacent to other existing heavy equipment. According to the Federal Emergency Management Agency's Flood Insurance Rate Map Panel Number 0600600685B, the processing area of the site has portions within both Flood Hazard Area Zone B and Flood Hazard Area Zone C. Zone B is defined as a moderate flood hazard area, between the limits of the 100-year flood and the 500-year flood zones. Zone C is defined as a minimal flood hazard area, outside the 500-year flood zone. Because the proposed concrete batch plant would be located within the existing processing area, the plant would not be within a 100-year floodplain. The proposed concrete batch plant would not result in any increases to the amount or frequency of any current flooding conditions. Therefore, the proposed project would not expose people or structures to an increased risk of loss, injury, or death involving flooding, and ***no impact*** associated with flooding would occur.

h) The project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The only structures used as part of the project are located at the upland processing site. Stockpiles have been in place between XS 2 and 4 between the processing site and the Trinity River since 1969 that would act to prevent inundation of the processing site during a 100-year flood event.

i) The project will not expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

The Trinity and Lewiston dams exist upstream from the project area and hold Trinity River water in Trinity Lake and Lewiston Lake. If these dams were to fail and send substantial amounts of water downstream employees and structures associated with the project would potentially be subject to injury or death and risk or loss. This project will not increase the risk of dam failure, but will expose people and structures to injury or death and risk or loss, as would any development along the Trinity River below Trinity Lake and Lewiston Lake. The exposure of people and

structures to injury or death and risk or loss due to dam failure is considered insignificant, as it would be for any development along the Trinity River. No increase of risk would occur above that of the existing operation.

j) The project will not result in inundation by seiche, tsunami, or mudflow.

The project is not located within the vicinity of any land locked bodies of water, such as a lake, that would be subject to inundation by a seiche. The project is far enough inland from the Pacific Ocean that it would not be subject to inundation by a tsunami. No mudflow source material is located near the project site.
Tsunamis are defined as sea waves created by undersea fault movement. A tsunami poses little danger away from shorelines. When tsunamis reach the shoreline, high swells of water break and wash inland with great force. The project site is located approximately 25 miles inland and is separated by Six Rivers National Forest land, including mountains. Thus, the project site would not be expected to be substantially affected by flooding risks from tsunamis. A seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir, with destructive capacity that is not as great as that of a tsunami. The project site is not located near a closed body of water large enough for a seiche to occur. Therefore, the proposed concrete batch plant is not anticipated to be impacted by seiches. Because the project site is generally flat and existing stormwater and erosion control measures are implemented on the project site, mudflows would not be expected to occur on the site. Therefore, because the proposed concrete batch plant would not be threatened by a seiche, tsunami, or mudflow, ***no impact*** from such phenomena would occur.

Cumulative Impact: All wash water from processing activities is directed to the settling basin at the northern end of the processing site and percolates in to the groundwater table. As a secondary precautionary measure stockpiles and berms surrounding the processing site also retains surface flow to allow settling and prevent any stormwater discharge. The project will not result in any polluted runoff. No direct discharge from industrial activities into State waters occurs. Water comes from the Willow Creek Community Services District (WCCSD). Approximately 40,000 gallons/day has been used when the asphalt and aggregate plants are in operation. The proposed project will not result in an increase in runoff because it does not involve the creation of any impermeable surfaces. The site is not a part of an existing or planned stormwater drainage system. Housing is not proposed as part of this project. The only structures used as part of the project are located at the upland processing site. Stockpiles have been in place between XS 2 and 4 between the processing site and the Trinity River since 1969 that would act to prevent inundation of the processing site during a 100-year flood event. The exposure of people and structures to injury or death and risk or loss due to dam failure is considered insignificant, as it would be for any development along the Trinity River. No increase of risk would occur above that of the existing operation. The Willow Creek operation received a water quality, section 401, certification from the North Coast Regional Water Quality Control Board (WDID No. 1B02102WNHU). The Army Corps of Engineers determined in 1996, "*At the past and projected rates of extraction, the gravel mining on the Willow Creek Bar...are not expected to alter these erosion and sedimentation processes in the watershed.*" The Willow Creek site was not determined in the past to cause a cumulatively considerable impact to the hydrology & water quality of the surrounding area, and as proposed consistent with past operations would therefore not currently be determined to be a cumulatively considerable impact.

Existing Project Mitigation:

1) Stockpiles have been located between the processing site and the Trinity River and serve to prevent inundation of the processing area during high flood events.

2) The Willow Creek operation received a water quality, section 401, certification from the North Coast Regional Water Quality Control Board (WDID No. 1B02102WNHU).

Mitigation: None proposed.

9. LAND USE AND PLANNING.

Findings:
a) The project will not physically divide an established community: No impact.

b) The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect: Less than significant impact.
c) The project will not conflict with any applicable habitat conservation plan or natural community conservation plan: No impact.

Setting:

The site is located a ½ mile north of the town of Willow Creek and consists of a stretch of the Trinity River with a bend at the upstream and downstream extents. Associated gravel deposits occur on the eastern portion of the project site. An upland terrace used for stockpiling and processing occurs on the western portion of the project site. The upland areas consist of river valley deposits associated with historic river channel locations.

Moderately steep forested hill slopes surround the project site on all sides of the river valley deposits. Land use in the surrounding area is a mixture of private and public land. Private lands include rural residential development, agriculture, highway commercial, industrial, recreational, a church as well as nearby retail commercial activities along Hwy 299 in Willow Creek, a 1/2 mile to the south. Public uses include Six Rivers National Forest (SRNF) offices and lands, a California Highway Patrol office, Trinity Valley Elementary School, and the Willow Creek Community Services District. The Hoopa Indian Reservation is to the north and the town of Hoopa 13 miles away. Above the valley and terraces, the surrounding land use is predominantly timberland.

The project site parcels are zoned as Flood Plain (5 acre minimum parcel size), Agriculture-Exclusive (20 acre minimum parcel size), and Highway Commercial Services (5 acre minimum parcel size). Parcels 522-491-15, 20, and 21, owned by Mercer, Fraser Company, are zoned Flood Plain (5 acre minimum parcel size). Parcel 522-491-17, owned by Mercer, Fraser Company, is zoned Highway Commercial Services (5 acre minimum parcel size). Parcels 522-142-10, 522-145-04, 06, and 522-491-04 (117 acres), owned by the Forest Service, are zoned Agriculture Exclusive (20 acre minimum parcel size). Parcel 522-491-022 (30 acres), owned by Daryl Mason, is zoned Flood Plain (5 acre minimum parcel size).

Adjacent land is zoned Flood Plain (5 acre minimum parcel size), Highway Commercial Services (5 acre minimum parcel size), Community Commercial, Agriculture Exclusive (20 acre minimum parcel size), Timber Production Zone (160 acre minimum parcel size), and Residential Suburban (1 acre minimum parcel size/allowing mobile homes) and utilized generally for agriculture, public facilities, wildlife habitat, rural residential, open space, and highway commercial.

The processing area is directly east of Highway 96. Eight rural residences exist within 500 feet of the extraction areas. Five rural residences exist within 1,000 feet of the processing site.

Analysis:

a) The project will not physically divide an established community.

The site is located within the Willow Creek community and has been operated as an extraction and processing site for aggregate materials since 1969; over thirty years ago. No new development or infrastructure is proposed.

As can be supported by numerous agency comments during the first permitting cycle in 1988, the Willow Creek site is strategically located in a market area that is important to federal, state, County, and local construction projects in the Willow Creek area. The site can be utilized for processing aggregate brought in from other sources or for remanufacturing asphalt if gravel is no longer available on-site. It is both for local and regional economic importance that this processing facility continues to operate since it would be very difficult to locate a new processing site in the area.

The project will not divide a community, and it is consistent with the Humboldt County General Plan, Framework Plan.

b) The project will not conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

The Humboldt County General Plan - Frame Work Plan recognizes the importance of existing gravel extraction sites as follows: "*Sand, gravel and rock, being necessary to construction and development, are an essential component for the continued well-being of the County. They are the basis for much of the construction materials for roads, concrete, streambank protection, erosion control, septic systems and passive solar projects. Importation of these materials would raise costs and negatively impact the development and maintenance within the County. It is important to protect specific sites and haul routes against land use incompatibilities to assure the continued utilization of this resource.*"

This project is consistent with the following goals and policies of the Humboldt County General Plan, Framework Plan, applicable to mineral resources:

§2532 GOALS

1. To assure the long-term availability of adequate supplies of mineral resources, to protect mineral resource areas from incompatible land uses and to minimize adverse environmental impacts.

§2533 POLICIES

1. Maintain and update maps of the County's identified mineral deposits.
2. Plan future development such that it will not interfere with the utilization of identified mineral deposits.
3. Ensure adverse environmental effects are prevented or mitigated to the fullest extent feasible and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses under the General Plan.
4. Encourage the production and conservation of minerals, while preserving to the maximum extent feasible the values relating to recreation, watershed, wildlife, range and forage, science, and aesthetic enjoyment.
5. Ensure elimination of residual hazards to the public health and safety.
6. Prevent the disruption of community character in siting and planning mineral resource extraction operations.
7. Require mineral haul routes to avoid incompatible areas such as landslides, highly erodible soils, residential areas, and schools, if feasible.
8. Permit conditions for mineral extraction operations should address allowable dust and noise levels, hours of operation, fencing, traffic, access, setbacks and other means to reduce conflicts with adjacent development.
9. Extraction of instream sand gravel is not to exceed the average annual replenishment level (annual bedload), except when the bedload left from a previous flood is greater than the average annual replenishment or if the projects emphasize fishery enhancement, flood control or bank protection.
10. Bank protection shall be permitted to: (1) Maintain necessary public or private roads, (2) Protect principal structures in danger from erosion, (3) Protect lands designated Agriculture-Exclusive from erosion.
11. Evaluate significant water diversion projects which would reduce the replenishment rate of gravel in streams as to the impact they would have on local mineral supply in Humboldt County.

Section 314-60.1 of the Humboldt County General Plan states: *"Surface removal of minerals and natural materials, including building and construction materials to be used for commercial purposes, shall be allowed in any zone with a Use Permit."*

c) The project will not conflict with any applicable habitat conservation plan or natural community conservation plan.

117 acres of the nine parcels (228 acres total) which contain the project area are managed by the Six River National Forest. The other 111 acres of the nine parcels (228 acre total) are owned privately by Mercer, Fraser Company (81 acres) and Daryl Mason (30 acres). The property included in the project area is not included in any habitat conservation plan or natural community conservation plan.

Cumulative Impact: The project will not physically divide an established community since it has been part of the Willow Creek community for 34 years. The project will not conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project since the Humboldt County General Plan contains poli-

cies supporting existing gravel mining sites such as the Willow Creek site. The project will not conflict with any applicable habitat conservation plan or natural community conservation plan. The Willow Creek site was not determined in the past to cause a cumulatively considerable impact to the land use & planning in the surrounding area, and as proposed consistent with past operations would therefore not currently be determined to be a cumulatively considerable impact.

Existing Project Mitigation: None.

Mitigation: None proposed.

10. MINERAL RESOURCES.

Findings:

a) The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state: Less than significant impact.
b) The project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan: Less than significant impact.

Setting:

The mineral resource being mined by this ongoing operation is sand & gravel from the riverside gravel bars of the Trinity River. This mineral resource is annually supplied from upstream by bedload transport.

The largest sources of sediment transport by streams in the Trinity River basin probably originates from erosion of stream banks. Landslides and slumps are important local sources of sediment in places where rock units are highly fractured, slopes are steep, or barren soils are exposed. The Trinity River exhibits characteristics of a hydrologically-limited stream rather than a sediment-limited stream, meaning the continued supply of sediment in a reach is a factor of the size and duration of winter flows rather than a question of whether there are sufficient sources of sediment. The variation in sediment discharge from year to year is commonly quite large and is generally dependent on the size of individual storms rather than annual water discharge. A few large storms result in more sediment being transported than normally result from many smaller storms.

Analysis:

a) The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

Discussion for finding *b)* applies to both finding *a)* & *b)*.

b) The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

Rather than result in the loss of availability a locally important mineral resource, this project will allow the continued, sustainable utilization of an important mineral resource. The mineral resources available on the site are not unique to the area and are subject to annual replenishment.

The project area has been used for annual gravel extraction activities since 1969, and it is anticipated that this area would be utilized only for floodway management processing and related gravel extraction in the future. Ongoing operations will not have an effect on future mining opportunities in this area. The Willow Creek Site has continually been used by public agencies, contractors and the general public since 1969 for purchase of base rock and hot mix asphalt concrete. Contractors associated with CalTrans road project contracts obtain road base and asphalt concrete from the Willow Creek site for the maintenance of Highway 96 & 299. Contracts that have been awarded by the Humboldt County Public Works Department have been dependent on this site for materials. The nearest alternative site is in the Blue Lake area 33 miles to the west.

The Humboldt County General Plan recognizes the importance of these river gravel mining operations. See discussion above in section 9 – Land Use and Planning.

Cumulative Impact: The mean annual recruitment for the Trinity River has been estimated in the Hoopa Valley Gravel Resource Evaluation to lie in the range of 250,000 cy/yr. – 400,000 cy/yr. There are three sites along the main stem Trinity River that are permitted by the County to extract a total of 70,000 c.y. The Willow Creek site (40,000 cy/yr.), the McKnight Bar (10,000 cy/yr.), and the Rowland Bar (20,000 cy/yr.). There are 2 sites along the main stem Trinity River that are permitted by the Hoopa Reservation to extract a total of 38,000 c.y. All five sites are permitted to extract a total of 108,000 cy/yr. If each site extracted the maximum permitted amount, then approximately 142,000 cy/yr. – 292,000 cy/yr. (56.8% to 73%) would still be left in the system, depending on whether it was a wet or dry winter. Mean annual recruitment substantially exceeds the maximum permitted amount and aggradation of the riverbed has occurred over time. Therefore, the amount of material extracted at the Willow Creek site is not a cumulatively considerable impact.

Existing Project Mitigation:

1) Limiting the annual extraction amount to less than the mean annual recruitment rate.

Mitigation: None proposed.

11. NOISE.

Findings:

a) The project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies: Less than significant impact.
b) The project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels: Less than significant impact.
c) The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project: Less than significant impact.
d) The project will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project: Less than significant impact with mitigation.
e) The project will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels: Less than significant impact.
f) The project will not, for a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels: Less than significant impact.

Setting:

Noise generated by the extension of this project would be similar to noise levels from past extraction/processing at this site (since 1969). No new noise sources are proposed. The project is located between Highway 96 and the Trinity River. Sources of noise in the project area and surrounding areas is generated by traffic on Highway 96 & 299, the Trinity River, heavy equipment use during extraction and processing activities at the Willow Creek site, the airport strip, and equipment use during agricultural operations on adjacent lands. This operation is the primary noise source as measured adjacent to the processing site and extraction areas at times of operation. Noise sources that result from this project will include front-end loader, bulldozer, excavator, conveyors, screen, crusher, asphalt plant, and dump trucks.

Ambient noise levels in the project area and surrounding areas are relatively elevated due to the close proximity of Highway 96, 299, and the Trinity River.

An old County airport strip (closed) is located on parcel 522-491-020 which is part of the 38.5 acre processing site. The airport strip is owned by both Mercer, Fraser Company and Six Rivers National Forest and is primarily used for emergency services. The airport strip is used by the Forest Service and the California Department of Forestry and Fire Protection (CDF) for fire fighting activities, and for emergency transport of patients to medical facilities in

Eureka or Redding. Noise levels may be periodically increased by use of the airport strip within the project area.

Sensitive receptors in the project area and surrounding areas include rural residences, agency offices, highway commercial businesses, and the Trinity Valley Elementary School.

Eight rural residences exist within 500 feet of the extraction areas. Noise levels of 60 dBA would be reached at approximately 400 feet distance. The closest residence is approximately 250 feet away and may get to levels of up to 68 dBA. Five rural residences exist within 1,000 feet of the asphalt plant and crusher located at the processing site and would be subject to noise levels of 63 dBA. Adjacent land uses are affected by increased noise levels only during the limited time when extraction/processing operations are occurring.

Analysis:

a) The project will not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The project consists of the continuation of a 34 year old operation and noise levels generated by the project would not increase as a result of the extension. The operation of heavy equipment and processing machinery has increased noise levels in the area since 1969. County file information indicates that the most recent noise measurements of Highway 96 show that in 1974, noise levels from the Highway reach 70 dBA at 47' from the centerline of the highway, and 65 dBA at 91 feet from the centerline of the highway. Extrapolating from this data, it appears that the 60 dBA noise contour from Highway 96 would extend approximately 200' from the centerline of the highway. Noise generation has and will occur only during the active periods of extraction (June 1st – October 15th) and processing (as needed basis). Project-related sounds will be limited to daytime operations, generally Monday through Friday from 7:00 a.m. to 6:00 p.m. It is anticipated that extended periods of time will continue to occur when no sounds will be generated.

Although the project parcels are zoned for agriculture, highway commercial, and flood plain which have higher allowable noise levels, rural residences and other uses have been built nearby in spite of the ongoing activity. In general, noise levels decrease by 6 dBA for each doubling of the distance from the source. Ranges of noise levels have been estimated for extraction, processing, and hauling activities at the nearest residences, located within a 1000 feet of the project area (see Table 1). The nearest home to extraction activity is approximately 250 feet and can be expected to experience noise levels between 57 - 68 dBA for the majority of time extraction activity is occurring. The nearest five residential uses to processing activity are approximately 800' – 1000' and can be expected to experience noise levels between 63 – 66 dBA when processing activity is occurring. Noise from Highway 96 would be louder, at 65 – 70 dBA for one of the residences. The noise levels in the following table represent the approximate noise levels the nearest residences would encounter during peak operations.

Table 1: Distance/dBA for Nearest Residences to Project Site

	50'	200'	300'	500'	1,000'
Extraction	72 - 82	60 - 70	57 – 67	52 – 62	<56
Processing	85 - 89	73 - 77	70 - 74	65 - 69	59 - 63
Hauling	86	74	71	66	60

Note: These noise level reductions are relevant to distance from the site only and do not take the noise reduction factor such as change in topography, vegetative cover, and stockpile buffers which would cause the noise levels to be reduced.

Table 2: Sound Levels of Various Aggregate Processing Plants and Associated Activities

Sound Source	Receptor (ft)	Receptor (m)	Measured Level (dBA)	Calculated Levels 100m	200m	300m	400m
Extraction	50	15	80	63.5	57.5	54	51.5
Loader Idling	50	15	72	55.5	49.5	46	43.5
Loader Operating	50	15	76	59.5	53.5	50	47.5
Bulldozer Operating	50	15	82	65.5	59.5	56	53.5
Dump Truck	50	15	86	69.5	63.5	60	57.5
Truck Traffic	50	15	76	59.5	53.5	50	47.5
Ready Mix Plant	50	15	80	63.5	57.5	54	51.5
Screen Plant	50	15	85	68.5	62.5	59	56.5
Asphalt Plant	50	15	89	72.5	66.5	63	60.5
Asphalt Plant (Attenuated)	50	15	85	68.5	62.5	59	56.5

Noise level ranges are used for extraction and processing equipment noise because levels vary depending on the equipment being used. A front-end loader idling can be as low as 72 dBA at 50 feet away, and a bulldozer operating can be up to 82 dBA at 50 feet away (See Table 2). Extraction equipment noise will decrease to less than 70 dBA at 200 feet away and to below 62 dBA at 500 feet away. Processing equipment noise will decrease to less than 77 dBA at 200 feet away and to below 69 dBA at 500 feet away (See Table 1).

Recreational users of Big Rock Recreation area are approximately 400' – 1000' away from the nearest crusher but tall stockpiles exist that effectively reduce noise levels. Those who are next to the river will primarily hear the river as it cascades down an adjacent riffle.

The noise standards in the Humboldt County General Plan: Framework Plan are based on EPA recommendations. Section 3240 of the General Plan states: *"The Environmental Protection Agency identifies 45 Ldn indoors and 55 Ldn outdoors as the maximum level below which no effects on public health and welfare occur. Ldn is the Day-Night Noise Level. Ldn is the average sound level in decibels, excluding frequencies beyond the range of the human ear, during a 24-hour period with a 10dB weighting applied to nighttime sound levels. A standard construction wood frame house reduces noise transmission by 15dB* (20dB with double pane windows). *Since interior noise levels for residences are not to exceed 45dB, the maximum acceptable exterior noise level for residences is 60dB* (65dB with double pane windows) *without any additional insulation being required. Of course, this would vary depending on the land use designation, adjacent uses, distance to noise source, and intervening topography, vegetation, and other buffers."* Since Ldn is a daily average, allowable noise levels can increase in relation to shorter periods of time.

Figure 3-2 of the Humboldt County General Plan shows that noise levels up to 60 dBA are normally acceptable for single-family residential uses. Figure 3-2 also shows that noise levels below 75 dBA in areas utilized for agriculture (except livestock), mining, and fishing are clearly acceptable and that noise levels between 75 and 95 dBA are normally acceptable (Humboldt County General Plan, Chapter 3, Page 9, Figure 3-2). For comparative purposes, noise levels while using a clothes dryer range from about 50 to 70 dBA, a vacuum cleaner from 60 to 85 dBA, a lawnmower from 80 to 105 dBA and motor craft can be as loud as 120 dBA.

Community noise is commonly described in terms of the ambient noise level, which is the all-encompassing noise level associated with a given environment. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise. An important way of predicting a human reaction to a new noise environment is the way the new noise environment compares to the existing environment (i.e., the ambient noise level). In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise would be judged by those hearing the noise. Certain land uses are more sensitive to noise levels than others due to the amount of noise exposure (in terms of both exposure time and shielding from noise sources) and the type of activities typically involved. Residences, schools, li-

braries, churches, hospitals, nursing homes, auditoriums, parks, and outdoor recreation areas are generally more sensitive to noise than are commercial and industrial land uses. Accordingly, such land uses are referred to as sensitive receptors.

The nearest sensitive receptor to the site would be the Trinity Valley Elementary School located approximately 570 feet from the proposed concrete batch plant. Trinity Valley Elementary School is separated from the existing project site by State Highway 96, landscaping on either side of the highway, a fence line along the project site, and stockpiles on the project site between the fence line and the processing area. The dominant noise source currently affecting the school site is traffic associated with State Highway 96. The nearest existing residence to the project site is located opposite the Trinity River and over 1,200 feet from the proposed concrete batch plant. The dominant noise source currently affecting the nearest residence is water flow along the Trinity River. The existing operations at the project site also contribute to the ambient noise levels at the school site and nearest residence, but, due to the proximity of the project site in comparison to the currently dominant noise sources to either receptor, the contribution is not substantial.

Humboldt County's General Plan considers 45 decibels (dB) as the maximum allowable level of indoor noise. According to Table 13-D, Land Use/Noise Compatibility Standards, of the County's General Plan, the normally acceptable exterior noise level or Community Noise Equivalent Level (CNEL) for a single-family residence is up to 60 dB Ldn, where Ldn is a day-night 24-hour average noise level. For a school, the normally acceptable exterior CNEL is up to 65 dB Ldn.

The renewal of the CUP/SP and Reclamation Plan will not result in any modifications to the current productions levels, hours of operation, materials to be mined, mining method, and the overall geographic area covered by the existing use permit. The operator would continue to use the existing equipment and fuel systems currently in place that serve the existing mining operations. Existing processing activities are limited to the permitted hours of operation (8:00 am to 5:00 pm Monday through Friday). Existing extraction activities are limited to the permitted hours of operation (7:00 am to 5:00 pm Monday through Saturday). Existing asphalt batch plant activities are limited to the permitted hours of operation (7:00 am to 5:00 pm Monday through Friday as well as 10 Saturdays during the year). In addition, existing extraction and processing activities operate on an as-needed basis during active periods (e.g., summer months). As such, the current activities on the project site result in the generation of noise only during such times. According to the Initial Study and Checklist prepared in 2003 for the current CUP/SP, the ambient noise levels in the project area are relatively elevated due to the close proximity to State Highway 96 and the Trinity River. In addition, the Initial Study and Checklist states that the noise generated by project operations are similar to noise levels from mining and processing at the site that has been ongoing since 1969. For informational purposes, the maximum noise level currently resulting from the existing on-site operations would be associated with operation of the existing asphalt plant, which results in an 89 dB noise level at a distance of 50 feet. Because the noise environment is dominated by State Highway 96 and the Trinity River noise, and noise generated by project operations is similar to the noise levels that have been ongoing since 1969, the Initial Study and Checklist concluded that the noise generated by existing operations at the project site would have a less-than-significant contribution to the overall ambient noise levels.

The only modification to the existing operations would be the addition of a concrete batch plant and ancillary equipment, which would be the only potential for changes to the existing noise levels. According to the U.S. Department of Transportation Federal Highway Administration Construction Noise Handbook, a typical concrete batch plant generates a maximum noise level of 83 dB at 50 feet.[1] Noise naturally attenuates with distance. For every doubling of distance from a noise source, noise levels decrease by 6 dB. At a distance of 550 feet (the nearest sensitive receptor is located 570 feet from the proposed concrete batch plant), the noise level increase from the addition of the concrete batch plant from ambient levels would be less than 14.6 dB noise level, which is comparable to whispering or rustling leaves. It should be noted that the 14.6 dB is an instantaneous noise level and does not represent a CNEL value. Even if the 14.6 dB increase in noise levels was directly added to the current maximum noise level associated with the existing on-site operations (i.e., 23 dB at 550 feet), the anticipated total maximum noise level at a distance of 550 feet would be 37.6, which is comparable to background noise in a

[1] U.S. Department of Transportation Federal Highway Administration. Construction Noise Handbook [Table 9.1, RCNM Default Noise Emission Reference Levels and Usage Factors]. July 5, 2011. Available at: http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm. Accessed February 26, 2015.

large conference room or library. As all existing permit requirements would continue to be applicable for the proposed project, the concrete batch plant would be limited to the same hours of operation, period of extraction and processing, and as-needed basis as currently occurs on the project site. Thus, the increase in noise associated with operation of the concrete batch plant, similar to existing on-site operations, would be periodic, would predominantly take place during normal daytime working hours, would not contribute nighttime noise, and would blend in with the existing noise environment.

Trinity Valley Elementary School would continue to experience elevated noise levels associated with the proximity to State Highway 96. Because the noise environment at the school is currently dominated by State Highway 96 traffic, and the school is located over 550 feet from the proposed concrete batch plant, a noticeable change in the ambient noise level due to the proposed concrete batch plant would not occur. It should be noted that the existing fence line, vegetation, and stockpiles between the school and the project site would help to attenuate any noise generated on the project site. Similarly, due to the dominance of noise associated with the Trinity River, as well as the proximity to the proposed concrete batch plant, the nearest residence would not be expected to experience any noticeable increase in ambient noise levels due to the proposed project.

Overall, exposure of persons or generation of noise levels in excess of standards, nor a substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above existing levels would occur as a result of the proposed project. Therefore, impacts related to noise would be considered ***less than significant***.

b) The project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels.

Increases in groundborne noise and vibrations from the project will be insignificant at the distance of the nearest residence, especially when compared to vibrations occurring as a result of traffic levels on Hwy 96 and considering the limited amount of time extraction activities will actually occur.

Mining operations on the proposed project site under the existing CUP/SP have been ongoing since originally approved in 1969. Renewal of the existing CUP/SP and Reclamation Plan would not modify the current production levels, hours of operation, materials to be mined, mining method, and the overall geographic area covered by the existing use permit. The only modifications to the existing operations would be the addition of a concrete batch plant.

The concrete batch plant would be limited to the same active periods of operation as currently occurs for existing on-site processing, which coincides with the permitted hours of operation and primarily during the summer months. All existing permit requirements would continue to be applicable for the proposed project. Periodic temporary increases in vibration levels may occur related to the on-site operations; however, the levels would be consistent with historical and existing conditions. In addition, the nearest sensitive receptor is separated from the project site by State Highway 96, and any vibration felt at the receptor site would predominantly be from the highway traffic. Therefore, the proposed concrete batch plant would not expose persons to or generate any groundborne vibration that would be considered excessive, and associated impacts would be considered ***less than significant***.

c) The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity above the levels existing without the project.

Due to the limited times of extraction activities, the project will not result in a permanent increase in ambient noise levels.

d) The project will not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Temporary or periodic increases in ambient noise levels in the immediate vicinity of the project area will occur. However, they are consistent with past noise levels.

Mitigation M-5. Operations shall be conducted in conformance with the following provisions to mitigate noise impacts: a) aggregate processing shall be intermittant and shall be conducted in accordance with the hours and days of operations specified in the Plan of Operations; also aggregate processing shall be shielded by stock piling of aggregates or other means to reduce noise levels at the nearest residence to 60 dB_{Ldn}.

e) The project will not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

Use of the airstrip for emergency purposes by CDF, Forest Service, and emergency medical transport will cause periodic increases in noise levels. Use of the airstrip occurs rarely for emergency purposes and would occur whether this project existed or not.

f) The project will not, for a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

Discussion for finding *e)* applies to both finding *e) & f)*.

Cumulative Impact: Noise in the project area and surrounding areas is generated by traffic on Highway 96 & 299, the Trinity River, heavy equipment use during extraction and processing activities at the Willow Creek site, the airport strip, and equipment use during agricultural operations on adjacent lands. Ambient noise levels in the project area and surrounding areas are relatively elevated due to the close proximity of Highway 96, 299, and the Trinity River. Noise generated by the extension of this project would be similar to noise levels from past extraction/processing at this site. No new noise sources are proposed. The noise generated by the project has been in existence since 1969. This renewal does not result in a cumulatively considerable addition to the existing noise levels in the surrounding area.

Existing Project Mitigation:

1) Gravel berms/stockpiles have been placed between the processing site and the Trinity River to mitigate for noise generated by equipment at the processing site.

Mitigation: None proposed.

12. POPULATION AND HOUSING.

Findings:

a) The project will not induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure): No impact.
b) The project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere: No impact.
c) The project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere: No impact.

Setting:

Land use in the surrounding area is a mixture of private and public land. Private lands include rural residential development, agriculture, highway commercial, industrial, recreational, a church as well as nearby retail commercial activities along Hwy 299 in Willow Creek, one-half mile to the south. Public uses include Six Rivers National Forest (SRNF) offices and lands, a California Highway Patrol office, Trinity Valley Elementary School, and the Willow Creek Community Services District. The Hoopa Indian Reservation is to the north and the town of Hoopa 13 miles away. Above the valley and terraces, the surrounding land use is predominantly timberland.

Analysis:

a) The project will not induce substantial population growth in an area, either directly (e.g. by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure).

The proposed project will not produce any significant growth inducing impacts. Aggregate extraction is normally driven by growth, not vice versa. Growth inducing impacts are generally caused by projects that have a direct or indirect affect on economic growth, population growth, or when the project taxes community service facilities which require upgrades beyond the existing remaining capacity. No services or utilities are being required to be extended to the site. The project employs only a few year-round people for a limited amount of time; economic benefits would not be such that people might be attracted to the area as a result.

b) The project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

The project will not displace any existing housing or people. There is no housing or people located within the project area.

c) The project will displace substantial number of people, necessitating the construction of replacement housing elsewhere.

Discussion for finding *b)* applies to both finding *b)* & *c)*.

The proposed project is for the renewal of the current CUP/SP and Reclamation Plan, which is allowed by right under the current Conditions of Approval, and an amendment to the current CUP/SP to allow for a concrete batch plant at the existing processing facility. As such, the proposed project would not include the direct creation of new housing or jobs nor displace any existing housing or people. The number of employees working at the site would generally remain constant. Because the proposed project would not result in population growth in the area, does not involve the creation of, or necessity for, new housing, and would not displace existing housing or people, ***no impact*** related to population and housing would occur.

Cumulative Impact: The proposed project will not produce any significant growth inducing impacts and will not displace substantial number of existing housing or people. Therefore, the project will not cause a cumulatively considerable impact or addition to the population and housing in the area surrounding the project site.

Existing Project Mitigation: None.

Mitigation: None proposed.

13. PUBLIC SERVICES.

Findings:

a) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection: No impact.
b) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection: No impact.
c) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services schools: No impact.
d) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construc-

tion of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for parks: No impact.

e) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for other public facilities: No impact.

Setting:

The project site is located within the jurisdiction of the Willow Creek Volunteer Fire Department and the California Department of Forestry and Fire Protection (CDF). The subject property was not identified in the Natural Resources and Hazard Report as a wildland area that may contain substantial fire risks and hazards.

Police protection is provided by the Humboldt County Sheriff's Department.

Public school facilities are provided by Trinity Valley Elementary School (K-8), and Hoopa High School. Private school facilities are provided by Willow Creek Christian School (K-12).

Nearby recreational facilities/parks in Willow Creek include the Elementary School playground and NFS Big Rock Recreation Area.

The Willow Creek site currently receives water services from the Willow Creek Community Services District. Water is required to be used for processing activities. Approximately 40,000 gpd is used when the asphalt plant and crusher are in operation. Portable chemical toilets are provided on the site. These are maintained by a pumping service licensed by the Humboldt County Environmental Health Dept.

Analysis:

a) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection.

The project consists of the continuation of a 34 year-old project. Additional use of fire protection services will not be required for the project as proposed and consistent with past operations.

b) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection.

The project consists of the continuation of a 34 year-old project. Police services will not be required for the project as proposed and consistent with past operations.

c) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services schools.

The project consists of the continuation of a 34 year-old project. Additional use of public school facilities will not be required for the project as proposed and consistent with past operations.

d) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of

which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for parks.

The project consists of the continuation of a 34 year-old project. Additional use of public park facilities will not be required for the project as proposed and consistent with past operations.

e) The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for other public facilities.

Additional use of water services from WCCSD will not be required for the project as proposed and consistent with past operations.

Cumulative Impact: The proposed project is for the renewal of the current CUP/SP and Reclamation Plan, which is allowed by right under the current Conditions of Approval, and an amendment to the current CUP/SP to allow for a concrete batch plant at the existing processing facility. All existing operations and mining would continue as currently approved and permitted. Existing production levels, hours of operation, materials to be mined, mining method, and the overall geographic area covered by the existing use permit would not be modified. The number of on-site employees would be expected to generally remain the same. As such, the demand for fire and police protection services at the project site would remain the same upon implementation of the proposed concrete batch plant. Therefore, existing services would be adequate to serve the proposed project, and ***no impact*** related to fire and police protection services would occur.

The proposed concrete batch plant does not involve the creation of new housing and would not result in population growth in the area. Existing electricity infrastructure and electricity supply at the site is enough to meet the demand for the proposed concrete batch plant. Therefore, any increase in demand for schools, parks, or other local public facilities would not occur as a result of the proposed project, and ***no impact*** would occur.

Existing Project Mitigation:

1) All heavy equipment/machinery will be fitted with state approved ABC spark arrestors prior to operating on site.

Mitigation: None proposed.

14. RECREATION.

Findings:

a) The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated: Less than significant impact.
b) The project will not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment: No impact.

Setting:

The section of the Trinity River encompassed in the project area is designated as Recreational (ACOE, 96). The area of the Trinity River accessible by the Big Rock Recreation Area is a popular waterway for a variety of recreational pursuits. Rafting and swimming occurs in the warm summer months and salmon and steelhead fishing occurs during the high-flow winter months. The project is located on private and public property and public access to the river exists at the upstream portion of the project site adjacent to the processing site.

Analysis:

a) The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

The project consists of the continuation of a 34 year-old project. The project will not increase the use of surrounding recreational facilities such as the Big Rock Recreation Area located within the project area and directly adjacent to the processing site. Since no extraction activity occurs within the active channel and temporary, in-stream railroad flatcar bridges have been designed to accommodate summertime water traffic, no adverse impacts to recreationists rafting or otherwise using the river, are anticipated. Aesthetic impacts to recreational users is discussed in Section 1 - Aesthetics.

In 1996, the Army Corps of Engineers (ACOE) determined, "*Continued gravel mining operations on the Willow Creek Bar and McKnight Bar are not expected to adversely alter the characteristics, or degrade the values, which caused the river to be designated as such (Wild, Scenic, and Recreational) in 1981*".

b) The project will not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

The project does not include recreational facilities and will not require the construction or expansion of any recreational facilities in the Willow Creek area.

Cumulative Impact: The project consists of the continuation of a 34 year-old project. The project will not increase the use of, or require the construction or expansion of recreational facilities within the Willow Creek area. As discussed above, the project has been designed to minimize impacts to users of the Big Rock Recreation area. Therefore, the project will not cause a cumulatively considerable addition to the use or construction of recreational facilities in the Willow Creek area.

Existing Project Mitigation:

1) All bridge crossings will have a minimum of six feet clearance above the water level to allow for the safe passage of river travelers.

2) Processing and extraction activities will typically take place Monday - Friday (7:00 - 6:00) p.m. since the Big Rock Recreation Area receives the heaviest use on the weekends. However, operations may occur on the weekends depending on the need (i.e. flood damage repair, shortened extraction season, CalTrans contract).

Mitigation: None proposed.

15. TRANSPORTATION/TRAFFIC.

Findings:

a) The project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections): Less than significant impact.

b) The project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways: Less than significant impact.

c) The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks: Less than significant impact.

d) The project will not substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment): Less than significant impact.

e) The project will not result in inadequate emergency access: No impact.

f) The project will not conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks): No impact.

Setting:

Access to the processing site is directly off of Highway 96. Highway 96 is an approximately 40 foot wide striped, semi shouldered Highway in good condition (Minor Arterial). The last average annual daily traffic volume (AADT) of 2950 back/1900 ahead vehicles on Highway 96 (mile 0.1 – north of Hwy 299) was taken in 2001 by CalTrans. Hwy 96 provides access to the Hoopa Valley Reservation and High School, Trinity Valley Elementary School, Six Rivers National Forest Lands, Trinity River recreation areas, the Mercer-Fraser Willow Creek project site, rural residences, agricultural operations, and state and federal agency offices. No access to/from County roads occurs before accessing Highway 96.

Access from the processing site to the extraction areas are provided by private access drives on Mercer, Fraser property. These roads are utilized by Mercer, Fraser Company during project operations and by CDF, Forest Service, or emergency medical transport when using the airstrip for emergency purposes. The access road to the extraction areas is a minimum 16 foot wide gravel road in fair condition with turnouts available.

During the construction season, off-site traffic generated by the project consists of approximately 100 truck loads per day during normal operating levels. At times, depending on job specific contract requirements, this amount has increased to a maximum of 200 truck loads per day. During off-season months, only minimal truck traffic may occur for several months at a time. Traffic generated by this project during summer months makes up a small portion of the traffic utilizing Highway 96. At other times of the year this level is greatly reduced. The design capacity of the roadways is well above current use.

Analysis:

a) The project will not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).

The project consists of the continuation of a 34 year-old project. Since the project represents an existing use, no additional traffic is proposed as a result of this project. Due to ongoing intermittent operation of this project, there will be no impacts to the existing traffic load or capacity of the street system.

b) The project will not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

Since the project represents an existing use, no additional traffic is proposed as a result of this project. Due to ongoing intermittent operation of this project, there will be no impacts to the level of service established for Highway 96 or 299. No County roads are directly accessed.

The proposed project is for the renewal of the current CUP/SP and Reclamation Plan, which is allowed by right under the current Conditions of Approval, and an amendment to the current CUP/SP to allow for a concrete batch plant at the existing processing facility. All existing operations and mining would continue as currently approved and permitted and an increase in mining production would not occur. Modifications to the existing roadway network would not occur as a result of the proposed project. Aggregate materials currently mined at the site are temporarily stockpiled on-site, loaded onto trucks or off-road haulers, and transported to the on-site processing facility (e.g., for crushing and use in the hot mix asphalt plant) or to off-site locations for further processing (e.g., to existing concrete batch plants in the County). Without the proposed concrete batch plant, concrete will be processed at an off-site concrete batch plant and would then be hauled and transported from the off-site plant to a construction site for use. During the active periods of extraction and processing, which coincide with the construction season, typical operations at the project site currently generate approximately 100 off-site truck trips per day. However, depending on market demand, the project has generated a maximum of 200 truck trips per day. Conversely, minimal truck trips are generated during off-season months. As such, the number of daily truck trips associated with the site currently varies throughout the year.

Based on the maximum production and processing capacity of the proposed concrete batch plant, a maximum increase of approximately 1,000 truck trips per year could result from implementation of the proposed concrete batch plant, or an average of approximately three truck trips per day throughout the year. However, similar to exist-

ing on-site processing, the proposed concrete batch plant would operate on an as-needed basis as well. Thus, the actual number of daily truck trips associated with the proposed concrete batch plant would likely vary greatly throughout the year, with minimal truck trips generated during the off-season months. Even if the total annual 1,000 truck trips were assumed to occur only during the peak construction season (summer months), the average daily increase in truck trips from existing levels during the summer months would be approximately six truck trips per day. It should be noted that based on the maximum production and processing capacity of the proposed concrete batch plant, a maximum increase of 12 peak hour truck trips over existing levels could result from implementation of the proposed concrete batch plant during the peak construction season. Overall, the increase in truck trips associated with the proposed concrete batch plant would be consistent with the existing variability in the number of truck trips associated with the site and would not cause any substantial deterioration of area roadway or intersection operations.

In addition, by providing a concrete batch plant on-site, the proposed project would eliminate the need for hauling off aggregate materials to off-site locations for further processing. Consequently, an overall reduction in existing regional VMT due to the elimination of haul trips to an off-site concrete batch plant, and then hauling of the processed concrete from that off-site location to a construction site, would likely occur.

Therefore, although the proposed concrete batch plant could result in a slight overall increase in the number of daily truck trips associated with the site, an overall reduction in existing regional VMT would be expected to occur as a result of the proposed project. Because the proposed concrete batch plant would not cause an increase in traffic that would be considered substantial, would reduce regional VMT, and would not exceed any level of service standards, impacts related to transportation and circulation would be ***less than significant***.

c) The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

Use of the airstrip for emergency purposes by CDF, Forest Service, and emergency medical transport may result in a small amount of air traffic. It is not anticipated that substantial safety risks would occur due to use of the airstrip, as it was used by the County in the past and is currently used for emergency purposes by CDF, Forest Service, and emergency medical transport without any safety problems. Use of the airstrip is not a part of this project and would occur whether this project existed or not.

d) The project will not substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

No roads or accessways will be altered; they will be the same as has existed for over 30 years. No new hazards or incompatible uses will be created as a result of the proposed project.

e) The project will not result in inadequate emergency access.

The existing access to the project area from Highway 96 has been used since the project was in operation and no safety problems have occurred in the past. The project will not affect any other emergency access routes.

f) The project will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

Because the number of employees or population in the area would not increase with implementation of the proposed concrete batch plant, an increase in new transit riders would not result. In addition, the project would not conflict with any adopted policies supporting alternative transportation. No foreseeable impacts to any policies, plans or programs supporting alternative transportation can be reasonably perceived as a result of the project.

Cumulative Impact: The project consists of the continuation of a 34 year-old project. Since the project represents an existing use, no additional traffic is proposed as a result of this project. Due to the ongoing intermittent operation of this project, there will be no impacts to the existing traffic load or capacity of the street system. No roads or accessways will be altered; they will be the same as has existed for over 30 years. No new hazards or incompati-

ble uses will be created as a result of the proposed project. The existing access to the project area from Highway 96 has been used since the project was in operation and no safety problems have occurred in the past. The project will not affect any other emergency access routes. Therefore, the project will not cause a cumulatively considerable addition or impact to traffic and transportation in the surrounding area.

Existing Project Mitigation: None.

Mitigation: None proposed.

16. UTILITIES AND SERVICE SYSTEMS.

Findings:

a) The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board: No impact.

b) The project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects: No impact.

c) The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects: No impact.

d) The project will not have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed): No impact.

e) The project will not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments: No impact.

f) The project will not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs: No impact.

g) The project will not violate any federal, state, and local statutes and regulations related to solid waste: No impact.

Setting:

Portable chemical toilets are provided on the site. These are maintained by a pumping service licensed by the Humboldt County Environmental Health Dept.

The Willow Creek site receives water services from the Willow Creek Community Services District (WCCSD) for processing and watering to minimize dust, which drains to a settling basin at the northern end of the processing site and percolates into the groundwater table. Water is currently utilized for washing/processing material at the site and for air pollution control for the asphalt plant. Approximately 40,000 gallons/day has been used when the asphalt and aggregate plants are in operation.

The Willow Creek site is not served by a wastewater treatment provider or landfill. Water, after it is used for washing, is directed to the settling basin. No solid waste is produced by the project. Stormwater and runoff is addressed in section 8 – Hydrology and Water Quality.

Analysis:

a) The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

All water from processing activities is directed to the settling basin at the northern end of the processing site and percolates into the groundwater table. As a secondary precautionary measure stockpiles and berms surrounding the processing site also retains surface flow to allow settling and prevent any stormwater discharge. These stockpiles and berms are maintained as part of annual winterization activities. No direct discharge from industrial activities into State waters occurs. The Willow Creek operation currently has a water quality, section 401, certification from the North Coast Regional Water Quality Control Board (WDID No. 1B02102WNHU).

b) The project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

The project consists of the continuation of a 34 year-old project. No new water treatment or wastewater facilities or the expansion of such facilities are proposed or needed for the project.

c) The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

No new storm water facilities or the expansion of existing facilities are needed for the project.

d) The project will not have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed).

Water is obtained by the Willow Creek Community Services District which has adequate water supplies to service the site. As a secondary source on-site sources have been utilized in the past.

e) The project will not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

There is no wastewater treatment provider associated with the Willow Creek site.

f) The project will not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

Discussion for finding *g)* applies to both finding *f)* & *g)*.

g) The project will not violate any federal, state, and local statutes and regulations related to solid waste.

The Willow Creek site is served by transfer facilities operated by Humboldt County. Solid waste, produced from this type of project, is minimal and disposed of in authorized sites and within state requirements. All extracted materials will be stockpiled or processed on-site for future needs. Due to the nature of the activity and the proposed methods of extraction and processing, no waste will either be retained on-site or disposed off-site.

The Humboldt County Waste Management Authority (HWMA) is a Joint Powers Authority that was created to provide economical coordination of solid waste management and disposal services. The County's only solid waste disposal site, Cummings Road Landfill, is currently in the process of closing down and does not accept waste any longer. The County conducted an extensive municipal landfill siting study in the mid 1990's to locate a replacement site for the Cummings Road landfill, which was reaching initial design capacity. According to the County's General Plan EIR, the County determined that exporting waste to a proven site is the most cost-effective solution.

The HWMA manages the transport of the solid waste for disposal at either the Anderson Landfill in Shasta County or the Dry Creek Landfill in Medford, Oregon. The Anderson Landfill has a daily permitted disposal of about 1,018 tons per day, and a remaining capacity of about eight million tons. The Anderson Landfill is not expected to close until 2036. The Dry Creek Landfill has a remaining capacity of about 50 million tons. The Dry Creek Landfill could provide an anticipated disposal capacity for the current service area for another 75 to 100 years.

According to the County's General Plan EIR, buildout of the General Plan would be served by a landfill with sufficient permitted capacity to accommodate solid waste disposal needs during and beyond the planning period. It should be noted that any waste concrete returned to the plant would be recycled. Therefore, implementation of the proposed concrete batch plant would not result in any significant changes to solid waste generation or disposal from existing conditions, and ***no impact*** related to solid waste services would result.

Cumulative Impact: The project consists of the continuation of a 34 year-old project. Water is obtained by the Willow Creek Community Services District, which has adequate water supplies to service the site. All water from processing activities is directed to the settling basin at the northern end of the processing site and percolates into the groundwater table. No new water treatment or wastewater facilities or the expansion of such facilities are proposed or needed for the project. No new storm water facilities or the expansion of existing facilities are needed for the project. There is no wastewater treatment provider associated with the Willow Creek site. All extracted materials will be stockpiled or processed on-site for future needs. Therefore the project will not cause a cumulatively considerable addition of impact to the use or construction of utilities and service systems in the Willow Creek area.

Existing Project Mitigation: None.

Mitigation: None proposed.

17. MANDATORY FINDINGS OF SIGNIFICANCE.

Discussion:
The project information provided under 'Discussion' for each of the topics above has been reviewed for all actions associated with it; during both construction and operation. Based on the project description and its location, the proposed project will not result in any significant impact and does not require mitigation measures not already incorporated into the project description.

Findings:

a) The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The project proposes the continuation of a project that has been in existence since 1969. The ground disturbing activities occur on the gravel bars, subject to alluvial processes during high flows. The project is subject to regulatory oversight and standards by numerous agencies. Monitoring and adaptive management are part of the project. The proposed operation will not negatively impact sensitive communities or species or historical or prehistoric resources adjacent to the site. See further discussion under sections 4. Biological Resources and 5. Cultural resources.

b) The project will not have impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). Most of the items reviewed in this initial study do not apply and no impact would result.

   This project is one of five permitted to extract gravel from the Trinity River. Other projects on the Trinity River are related only in the sense that all of the gravel bars derive their material from the same upstream sediment sources. The Trinity River is a "hydraulically-limited" rather than "sediment-limited" river. This means that replenishment is more a factor of the size and duration of winter flows than the production of sediment in the watershed. This was based on the calculated high amounts of sediment that currently exists in active landsliding occurring in the watershed. These landslides not only occur upstream of the project site but downstream and along other tributaries as well.

   It has been suggested in the past that over-extraction by the five projects on the Trinity River, combined with multiple low winter flow years, can contribute cumulatively to erosion of the bed and banks of the river, which in turn can erode adjacent riparian and other habitat areas, interfere with fishery resources, undermine bridge supports, and cause other impacts. However, these same impacts can and have occurred when excessive deposition from high winter flow/duration events occur. Effects of aggradation have been summarized in Section 8 – Hydrology and Water Quality.

Besides the cumulative impacts resulting from river morphology changes, other cumulative impacts resulting from the gravel mining operations can include habitat degradation from the installation of new gravel processing operations and access roads within environmentally sensitive habitat adjacent to the exposed gravel bars, exclusion of recreational use of the river banks, and noise. These are impacts that are not now occurring based on current management activity and regulatory requirements. Furthermore these potential impacts also suggest the importance of retaining existing operations and minimizing the need for new sites to be developed elsewhere.

Until 1991, there had been very little coordinated review of the combined effects of the various gravel mining operations on Rivers in Humboldt County. Permits granted in the past by the various approving agencies were site specific and granted with little knowledge of the cumulative impacts of gravel mining throughout the Trinity River. Gravel mining operations on the Trinity River now require the approval of a number of different local, state and federal agencies.

The result of on going monitoring, information indicates there is little concern regarding the cumulative impacts of the gravel mining operations on the Trinity River. Collected information has shown that little change in the river bed has occurred from gravel extraction. Annual monitoring as well as analysis of additional sources of historic bed elevations has further substantiated this.

In the fall of 1993, due to an amendment of the Army Corps of Engineers Clean Water Act Regulatory Program, the Army Corps of Engineers (Corps) became more involved in regulating gravel extraction operations. Whereas previously the Corps' regulatory review of many instream gravel extraction operations focused mainly on the installation of channel crossings and stockpiling of material on the river bar, in 1993 the Corps began actively regulating incidental fill related to gravel mining activities themselves. In an effort to streamline the processing of Corps permits for numerous in-stream gravel operations within Humboldt County, the Corps adopted a Letter of Permission (LOP) procedure for authorizing such projects (LOP 96-1). The LOP was adopted after a series of interagency and public meetings. An applicant for a project covered by the LOP must submit yearly gravel plans and monitoring information to the Corps for approval under the procedure. The Corps incorporated the CHERT (County of Humboldt Extraction Review Team) review process into it's LOP procedure. In addition the LOP process requires consultation under Section 7 of the Endangered Species Act. Mitigation measures are incorporated to address the concerns of the Endangered Species Act (ESA). As more information is gathered, these requirements are revised as necessary.

The operator has worked with agencies to develop a strategy for controlling the cumulative impacts of the gravel operations on river bed degradation and bank erosion. At the heart of the strategy is an annual administrative approval of extraction plans that specifies the particular method and location of extraction. This annual monitoring program has been utilized to make annual decisions on where and how much gravel can be removed from the Trinity River without adversely affecting the river. Consulting firms, using funds provided by the gravel operators, are conducting the monitoring program. This has been the primary source of monitoring information since resource agencies are not funded to conduct the monitoring themselves. The monitoring program involves periodic biological surveys, creating cross-sections and thalweg profiles, plus taking aerial photos and ground photos each year for each gravel removal operation. This information is compiled and compared to data from previous years to determine gravel recruitment, changes in channel morphology and impacts on wildlife and fisheries. The essence of this program is currently occurring through the Army Corps of Engineer's LOP process and past County approach. Much of this information is being collected by consultants for the gravel operators as part of the annual monitoring requirements of permitting and reviewing agencies before the commencement of mining each season.

The proposed concrete batch plant would not modify the existing production levels, hours of operation, number of employees, materials to be mined, mining method, and the overall geographic area covered by the existing use permit. As such, the concrete batch plant would not cause an increase in cumulative impacts in the area. Therefore, ***no impact*** would result from development of the proposed project.

c) The project site has been in operation as a sand and gravel mining operation and processing facility since 1969. The proposed project is for the renewal of the current CUP/SP and Reclamation Plan, which is allowed by right under the current Conditions of Approval, and an amendment to the current CUP/SP to allow for a concrete batch plant at the existing processing facility. All existing operations and mining would continue as currently approved and permitted. The existing production levels, equipment, mining method, and number of employees would not change as a result of the proposed project. Thus, the project would not be expected to result in any new environmental effects, such as an increase in air pollutant or GHG emissions, risks related to geological hazards, exposure to hazards or hazardous materials, risks related to flooding, or exposure to excessive noise levels, that would cause adverse effects on human beings. Because adverse effects on human beings, either directly or indirectly, would not occur as a result of implementation of the proposed project, ***no impact*** would result.

18. DISCUSSION OF MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

The Department found that the project could result in potentially significant adverse impacts unless mitigation measures are required. A list of Mitigation that addresses and mitigates potentially significant adverse impacts to a level of non-significance follows. Additional details regarding mitigation for reclamation of the site can be found in the Reclamation Plan.

Mitigation:

M-1: Air Quality. The on-site haul road shall be watered to reduce dust emissions and potential wind erosion of the soils; Apply water to disturbed land surfaces at a frequency high enough to maintain soil cohesion and to reduce blowing dust to the extent practicable. The operator shall maintain a log identifying the day and time and the amount of water applied to maintain dust control. The log shall be kept on the project site and shall be presented for review by county or other agency personnel upon request.

M-2: Biological Resources. Applicant shall continue to abide by the County's annual review process (as well as other state/federal agencies) and based on submittal of annual monitoring information, annual adaptive management strategies are incorporated to address the concerns of the Endangered Species Act.

M-3 Hazardous Materials: The proposed concrete batch plant shall utilize Best Available Control Technology for emissions from stationary sources and shall include dust control systems to minimize or avoid dust production associated with the proposed process.

M-4: Water Quality. Prior to any mining activity the applicant shall submit to the Regional Water Quality Control Board a "Stormwater Pollution Prevention Plan" to address the potential for runoff water from the site impacting adjacent streams. Any grading element of the plan shall conform with the provisions of the Uniform Building Code (UBC) and the recommendations and mitigation measures of the Geologic Report or Reclamation Plan geological section. The erosion control element of the plan shall incorporate Best Management Practices (BMP's) for Erosion and Sediment Control (ESC) as identified in the California Storm Water Best Management Practice Handbook for Construction Activity.

M-5: Noise. Operations shall be conducted in conformance with the following provisions to mitigate noise impacts: aggregate processing shall be intermittant and shall be conducted in accordance with the hours and days of operations specified in the Plan of Operations; also aggregate processing shall be shielded by stock piling of aggregates or other means to reduce noise levels at the nearest residence to 60 dB_{Ldn}.

19. EARLIER ANALYSES.

a) Earlier Analyses Used. The following documents in Section 19, available at the Community Development Department, have adequately analyzed one or more effects of the project. Earlier analysis has been used

where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (CEQA Guidelines Section 15063 (c)(3)(D)).

b) Impacts Adequately Addressed. Some of the effects from the above checklist were within the scope of and adequately analyzed in the document(s) listed in Section 19, pursuant to applicable legal standards.

c) Mitigation Measures. It was not necessary to include mitigation measures, which were incorporated or refined from the document(s) described above (18. a) to reduce effects that are "Less than Significant with Mitigation Incorporated,"

20. SOURCE/REFERENCE LIST:

The following documents were used in the preparation of this Initial Study. The documents are available for review at the Humboldt County Planning Department during regular business hours.

Berg A., D. Halligan, K. Hess. 2002. Biological Assessment for Southern Oregon/Northern California Coasts Coho Salmon, California Coastal Chinook Salmon, and Northern California Steelhead that may be affected by LOP 02-1. Gravel Extraction Operations in Humboldt County, CA.

CA Resources Agency, 2002. Farmland Mapping and Monitoring Program. www.consrv.ca.gov.

Dyett & Bhatia, 2002. Humboldt County 2025 General Plan Update. Natural Resource and Hazards Report.

Frey, G. 2003. List of wildlife and vegetation species of concern to the Six Rivers National Forest. USFS.

Humboldt County, 1984. General Plan (Volume 1 – Framework Plan).

Humboldt County, 1990. Zoning Ordinance.

LACO Associates. 1996. Geologic Investigation of the Willow Creek Site. Prepared for Mercer, Fraser Company. Unpublished. Eureka, CA.

Lehre, A. K. 1993. Gravel Resource Evaluation and Preliminary Market/Economic Feasibility Analysis for a Sand and Gravel Plant on the Hoopa Valley Indian Reservation. Prepared for the Hoopa Valley Tribal Council, Hoopa, CA. November.

Natural Resource Management Corporation (NRM). 2000. Riparian Vegetation Assessment in Year 2000 for Gravel Operators. Eureka, CA.

Northcoast Unified Air Quality Management District (NCUAQMD) website. 2003. http://www.northcoast.com/~ncuaqmd.

STREAMLINE Planning Consultants (SPC). 1999. Analysis of hydrologic and geologic processes occurring at the Willow Creek Site. Unpublished. Eureka, CA.

Rising Sun Enterprises. 1988. Humboldt County Reclamation Plan for Mercer, Fraser Company. Willow Creek, CA.

United States Army Corps of Engineers (ACOE). 1996. Public Notice Number 21155N78, 21107N78. Mercer, Fraser Company, Willow Creek and McKnight Bar. Humboldt County, California. ACOE, San Francisco District, California. February.

United States Army Corps of Engineers (ACOE) Website, 2002. San Francisco District. http://www.spn.usace.army.mil.

United States Environmental Protection Agency. 1995. Compilation of Air Pollutant Emission Factors. AP-42, 5th Ed. Vol. 1. January.

United States Geologic Service (USGS). 1974. Sediment Discharge in the Trinity River Basin California. Water Resources Investigations 49 – 73. Prepared by J.M. Knott in cooperation with the California Department of Water Resources.

The following documents are referenced information sources utilized by this analysis:

1. California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.
2. California Department of Conservation. Regulatory Maps. 2007. Available at: http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm. Accessed February 26, 2015.
3. Humboldt County. *Humboldt County General Plan Update Draft Environmental Impact Report SCH#2007012089*. April 2, 2012.
4. Humboldt County. *Humboldt County General Plan Update Planning Commission Approved Draft*. March 19, 2012.
5. Humboldt Local Agency Formation Commission. *Willow Creek Community Services District Municipal Service Review*. May 2008.
6. Mercer-Fraser Company. *North Coast Unified Air Quality Management District Application Form 1300*. February 28, 2014.
7. North Coast Regional Water Quality Control Board. *General Waste Discharge Requirements and Water Quality Certification for Discharges Related to Sand and Gravel Mining, Excavation, and Processing Activities, Including Asphalt and Concrete Operations, on Non-Federal Lands in the North Coast Region*. June 21, 2005.
8. North Coast Unified Air Quality Management District. *Air Quality Planning & CEQA*. Available at: http://www.ncuaqmd.org/index.php?page=aqplanning.ceqa. Accessed February 26, 2015.
9. STREAMLINE Planning Consultants. *Willow Creek Mining Operation Use Permit and Mining and Reclamation Plan Renewal Initial Study and Checklist*. June 2003.
10. U.S. Department of Transportation Federal Highway Administration. Construction Noise Handbook. July 5, 2011. Available at: http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm. Accessed February 26, 2015.
11. Willow Creek Community Services District. *Willow Creek Community Services District 2013 Water Quality Consumer Confidence Report, Public Water System Number 12-10015*. May 2014.
12. Mercer Fraser Co. Willow Creek Mining Operation, Mitigated Negative Declaration, approved June 23, 2003.

HUMBOLDT COUNTY
PLANNING & BUILDING DEPARTMENT

MITIGATION MONITORING REPORT FOR THE
Mercer Fraser Co. APN 522-142-10 et al. (Willow Creek area)
SMP-16-002, CUP-16-013, RP-16-002, SP-16-024

PROJECT:
Project Description: Renewal of a Conditional Use Permit, Special Permit, Reclamation Plan, and review of financial assurance cost estimates for an existing surface mining and processing operation, and modification of the Conditional Use Permit to allow for the siting and operation of a concrete batch plant. A 15-year permit term renewal is requested. The project involves the extraction of 40,000 cubic yards of sand and gravel from Trinity River gravel bars. Aggregate materials are temporarily stockpiled and loaded on to trucks or off-road haulers and then transported to the existing adjacent processing site or to off-site locations. Processing operations involve material crushing and/or sorting, onsite storage of materials, production of asphalt, and weighing and hauling by truck. Site improvements existing at the southern portion of the processing area include a hot mix asphalt plant, rock crusher, screen, settling basin, gate, office, and scales. A new concrete batch plant is proposed. Under the current permit, hours of operation are restricted to daylight hours Monday through Saturday, generally 7:00 am to 6:00 pm.

PROJECT LOCATION: The project site is located in Humboldt County, in the Willow Creek area, on the east side of State Highway 96, just east from the intersection of State Highway 96 with Brannan Mountain Road, on the properties known as 533 and 775 State Highway 96.

ASSESSOR'S PARCEL NUMBER: 522-142-010-000, 522-145-004-000, 522-145-006-000, 522-491-004-000, 522-491-015-000, 522-491-016-000, 522-491-017-000, 522-491-020-000, 522-491-021-000, 522-491-023-000

Mitigation measures were incorporated into conditions of project approval for the above referenced project. The following is a list of these measures and a verification form that the conditions have been met. For conditions that require on-going monitoring, attach the Monitoring Form for Continuing Requirements for subsequent verifications.

ON-GOING MITIGATION MEASURES

M-1: Air Quality. The on-site haul road shall be watered to reduce dust emissions and potential wind erosion of the soils; Apply water to disturbed land surfaces at a frequency high enough to maintain soil cohesion and to reduce blowing dust to the extent practicable. The operator shall maintain a log identifying the day and time and the amount of water applied to maintain dust control. The log shall be kept on the project site and shall be presented for review by county or other agency personnel upon request.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes | No	Comments / Action Taken
Project Operations	Continuous		NCUAQMD		

M-2: Biological Resources. Applicant shall continue to abide by the County's annual review process (as well as other state/federal agencies) and based on submittal of annual monitoring information, annual adaptive management strategies are incorporated to address the concerns of the Endangered Species Act.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes | No	Comments / Action Taken
Project Operations	Continuous		CHERT		

M-3 Hazardous Materials: The proposed concrete batch plant shall utilize Best Available Control Technology for emissions from stationary sources and shall include dust control systems to minimize or avoid dust production associated with the proposed process.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes | No	Comments / Action Taken

Project Operations	Continuous		NCUAQMD		

M-4: Water Quality. Prior to any mining activity the applicant shall submit to the Regional Water Quality Control Board a "Stormwater Pollution Prevention Plan" to address the potential for runoff water from the site impacting adjacent streams. Any grading element of the plan shall conform with the provisions of the Uniform Building Code (UBC) and the recommendations and mitigation measures of the Geologic Report or Reclamation Plan geological section. The erosion control element of the plan shall incorporate Best Management Practices (BMP's) for Erosion and Sediment Control (ESC) as identified in the California Storm Water Best Management Practice Handbook for Construction Activity.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes | No	Comments / Action Taken
Project Operations	First Winter and as necessary		RWQCB		

M-5: Noise. Operations shall be conducted in conformance with the following provisions to mitigate noise impacts: aggregate processing shall be intermittant and shall be conducted in accordance with the hours and days of operations specified in the Plan of Operations; also aggregate processing shall be shielded by stock piling of aggregates or other means to reduce noise levels at the nearest residence to 60 dB_{Ldn}.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes | No	Comments / Action Taken
Project Operations	Continuous		HCP&BD		

**

HCP&BD = Humboldt County Planning and Building Department
CDF&W = California Department of Fish and Wildlife
NCUAQMD = North Coast Unified Air Quality Management District
RWQCB = Regional Water Quality Control Board
CHERT = County of Humboldt Extraction Review Team