



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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Hearing Date: September 15, 2022
To: Humboldt County Zoning Administrator
From: John H. Ford, Director of Planning and Building
Subject: **PL - Van Duzen River Bar Conditional Use Permit/Mining 15-Year Renewal**
Case Number PLN-2021-17243
Assessor's Parcel Numbers 209-201-010 and 206-262-019
Carlotta Area

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Please contact Desmond Johnston, Senior Planner, at (707) 441-2622, or by email at djohnston@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date Sept. 15, 2022	Subject Conditional Use Permit/ Mining 15-Year Renewal	Contact Desmond Johnston
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Project Description: The PL-Van Duzen River Bar Renewal is a request of the Zoning Administrator for renewal of a 15-year term of a previously approved, existing in-stream gravel bar mining operation on the north bank of the Van Duzen River. The gravel bar resource is approximately 3,000 feet (ft.) long x 400 ft. wide and is part of a series of alternating bars along a section of the Van Duzen River defined by the 1-2 year floodplain. Extraction does not involve any contact with surface water; all extractions take place on the dry, upper portions of the gravel bar. Extraction operations are completed prior to the start of fall or early winter rains, typically by October 15th annually.

The mining operation was originally permitted in 1986 and extended in 1997 for the same volume and frequency of extraction – an annual removal of up to 3,000 cubic yards of river-run gravel for County road maintenance. No change to the extraction volume is proposed with this renewal request, nor to any aspect of the approved CUP, nor to the approved reclamation plan. The volume, location and extraction method will be consistent with the recommendations of CHERT and responsible agencies.

Project Location: The project is located in Humboldt County, in the Carlotta area, on the North side of State Highway 36, approximately 0.44 miles from the intersection of State Highway 36 and Summers Delight Park Drive, on the properties known to be in Sections 16 and 9, of Township 01 North, Range 02 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Timberland (T) and Agricultural Exclusive (AE). 2017 General Plan. Density: 40-160 acres per unit, Slope Stability: Low Instability (1), Moderate Instability (2).

Present Zoning: Timberland Production Zone (TPZ) and Agricultural Exclusive (AE).

Case Number: PLN-2021-17243

Assessor's Parcel Numbers: 209-201-010 and 206-262-019

Applicant	Owner	Agent
Humboldt County Public Works Department 1106 Second Street Eureka, CA 95501	Humboldt Redwood Co, LLC P.O. Box 712 Scotia, CA 95565-7741	n/a

Environmental Review: The project may be found exempt from CEQA.

State Appeal Status: Project is NOT appealable to the California Coastal Commission

Major Issues: None

PL - VAN DUZEN RIVER BAR CONDITIONAL USE PERMIT/MINING 15-YEAR RENEWAL

PLN-2021-17243

Assessor's Parcel Numbers 209-201-010 and 206-262-019

Recommended Zoning Administrator Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Find the requested mining CUP renewal exempt from the California Environmental Quality Act, and based on evidence in the staff report, adopt the Resolution approving the 15-year renewal of the PL-Van Duzen River Bar Conditional Use Permit/Mining subject to the recommended conditions.

Executive Summary: The PL-Van Duzen River Bar Renewal is a request of the Zoning Administrator for renewal for a 15-year term of a previously approved, existing in-stream gravel bar mining operation (SMR-03-86X/CUP-37-86X) on the north bank of the Van Duzen River. The gravel bar resource is approximately 3,000 feet (ft.) long x 400 ft. wide and is part of a series of alternating bars along a section of the Van Duzen River defined by the 1 to 2 year floodplain. Extraction does not involve any contact with surface water; all extractions take place on the dry, upper portions of the gravel bar. Extraction operations are typically conducted within a two- to three-week period and completed prior to the start of fall or early winter rains, normally by October 15th annually.

Under direction of the County of Humboldt Extraction Review Team (CHERT) and other agencies with whom CHERT may consult, the extraction site is winterized annually via interim reclamation measures according to the permit conditions and CHERT recommendations. This includes grading the extraction area to facilitate free drainage and prevent fish stranding. At the conclusion of all mining activities when the river bar will no longer be utilized by the County, the site will be fully reclaimed to the end use per the approved Final Reclamation Plan, which is native grass and woodland.

The mining operation was originally permitted in 1986 with subsequent extensions for the same volume and frequency of extraction – an annual removal of up to 3,000 cubic yards of gravel for County road maintenance. No change to the extraction volume is proposed with this renewal request, nor to any aspect of the approved CUP, nor to the approved reclamation plan. The volume, location and extraction method will be consistent with the recommendations of CHERT and responsible agencies. CHERT reviews the detailed extraction plan annually in the spring, prior to excavation, and in the fall, following the end of excavation. The last permit renewal was set to expire 10/4/2021; however, application for the requested renewal was made timely on 5/21/2021. The requested 15-year renewal will expire 15 years from 10/4/2021.

The Reclamation Plan: A new, amended, or renewed Reclamation Plan (RP) is not proposed and is not required per **Title III, Div. 9, Chapter 1, §391-4(b)(6), Term**, of the County's Mining Ordinance. The reclamation plan that was previously approved for the end use remains in effect and would be required to be implemented now if the Zoning Administrator does not approve the permit renewal request. County DPW staff provided with the permit renewal application package a "Final Reclamation Plan, Amended May 2021." However, upon consultation with DPW staff, the document describes recently identified detail on existing

conditions, such as with river hydrology, water quality, and biological resources, to facilitate annual CHERT review. As described on page 15 of the RP document, there are no changes to the mining operation, permit boundary, extraction volumes, nor to the adopted end use.

The quarry would be subject to the original conditions of approval, and those that were added during the last permit renewal (the 7/13/2010 staff report and conditions are attached to this staff report). These include numerous on-going, annual, and terminal mitigation and reclamation measures. These included: set operations hours for extraction, processing, and hauling, the maintenance of a stormwater detention and sedimentation basin, winterizing the site prior to the onset of the rainy season, and final reclamation of the site at the end of the permit term.

Agency Comments: Referrals were sent to CHERT and to several outside agencies, including Caltrans, CDFW, the Corps of Engineers, the Regional Water Quality Control Board and the Bear River Band. Only Caltrans responded, and requests two conditions of approval be attached to the permit renewal:

1. To safeguard the substructure of the State Route 36 Bernie Hemenway Memorial Bridge and prevent further degradation of the stream bed, a mandatory setback of 500 feet from the bridge for all gravel extraction work, both upstream and downstream, shall be imposed.
2. Regarding the two offset driveways onto State Route 36 serving the project:
 - a. The corner sight distance at both driveway intersections need to be improved to meet current State standards.
 - b. Temporary traffic control signs need to be deployed to warn approaching motorists during gravel hauling operations and removed during off-hours.
 - c. The driveway pavement condition will need to be maintained in a state of good repair.

Humboldt County DPW staff have been apprised of the Caltrans comment letter and find the request acceptable.

Environmental Review: A Mitigated Negative Declaration/Subsequent Mitigated Negative Declaration was adopted in October 2010 (within the 2010 staff report package for the prior renewal, beginning on Page 111, and attached to this staff report) that included four mitigation measures related to ensuring coordination with and adherence to requirements that may additionally be imposed annually by CHERT and the agencies that work with CHERT; incorporation of Best Management Practices, restrictions on the timing of excavation, habitat restoration, protection of riparian vegetation, bridge setbacks, adherence to North Coast Air Quality Management regulations and airborne toxic control measures, and dust suppression. These mitigation measures along with the original conditions of approval, were incorporated into the project and are, in effect, part of the project that is being considered for this 15-year renewal request. These measures have been and will continue to be in force and monitored annually by County Planning staff.

Additionally, the information package submitted by County DPW staff includes new, site-specific documentation of environmental resource conditions that will assist CHERT in the annual pre- and post-planning of extraction activities that further ensures habitat protection. There are no changes in operations, law, or the environment that warrant further environmental review. The requested permit renewal can be found exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical exemption, Existing Facilities.

Mining Permit Renewal Standards: The County mining ordinance provides that mining permits may be approved for a period up to 15 years. Under §391-4(b)(6) of the Code, the permit may be reissued by the Zoning Administrator on the following bases:

1. The life expectancy of the operation;

Response: DPW Operations staff state that the extraction area is replenished annually and there will be material available throughout the 15-year term.

2. Any special circumstances related to the operation that would make appropriate a more or less frequent review;

Response: There are no known special circumstances that would cause the term to be set for less than 15 years.

3. That the use has been conducted in compliance with permit conditions;

Response: The operation is inspected annually by County Planning staff for compliance with the Reclamation Plan and permit conditions. The last inspection report from December 2021 shows no violations or other issues (copy of inspection report attached).

4. Conditions may be added or modified if warranted by changes in the law or circumstances of the operation.

Response: Two conditions of approval are recommended based on the Caltrans comment (**COAs Nos. 2 and 3**). There are no other known changes in the law or circumstances that warrant additions or changes to conditions that staff is aware of.

Recommendation: Staff supports approval of the application for several reasons: a) the site has historically been used as a rock quarry; b) the project area is removed from urban developments and is not anticipated to have any impact in residential uses; and c) potential impacts to resources have been addressed through mitigation and operations restrictions, and (d) the requested renewal meets the standards for approval based on the County Mining Ordinance. Based upon the operations and performance standards included in the mining operations and reclamation plan, staff and the referral agencies have concluded that the operation can be conducted in a safe and appropriate manner provided these standards are made conditions of project approval.

Alternatives: The following alternatives to the staff recommendation may be considered: 1) The Zoning Administrator could elect to add or delete conditions of approval; 2) The Zoning Administrator could deny approval of the requested permit renewal if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

- EVIDENCE:**
- a) The site is developed to its maximum capacity; no expansion horizontally or vertically is proposed; no changes are proposed.
 - b) The project was previously modified by CEQA review, mitigation measures incorporated, and are now part of the project.
 - c) The project is subject to review and approval by CHERT annually.

Mining Permit 15-Year Renewal (Title III, Div. 9, Chapter 1, §391-4(b)(6), Term, of the Humboldt County Code)

- 3. **FINDING** The life expectancy of the operation justifies a 15-year renewal.
- EVIDENCE** County Public Works staff state that the extraction area is replenished annually and there will be aggregate material available through the 15-year term.
- 4. **FINDING** There are no special circumstances related to the operation that would cause the term to be set for less than 15 years.
- EVIDENCE** Referral notices were sent to interested agencies including CHERT, and no agencies indicated that the term should be less than 15 years. County Public Works staff are not aware of any special circumstances that should limit the term.
- 5. **FINDING** The mine has been conducted in compliance with permit conditions.
- EVIDENCE** The operation is inspected annually by County Planning staff for compliance with the Reclamation Plan and conditions of approval and mitigation measures. The most recent inspection report from December 2021 shows no violations or issues.
- 6. **FINDING** Conditions have been added with this renewal as warranted by changes in the law or circumstances of the operation.
- EVIDENCE** Two conditions of approval are added based on safety observations by Caltrans. Following review of relevant regulations and consultation with interested agencies, there are no other changes in the law or circumstances that warrant additions or changes to conditions.

DECISION

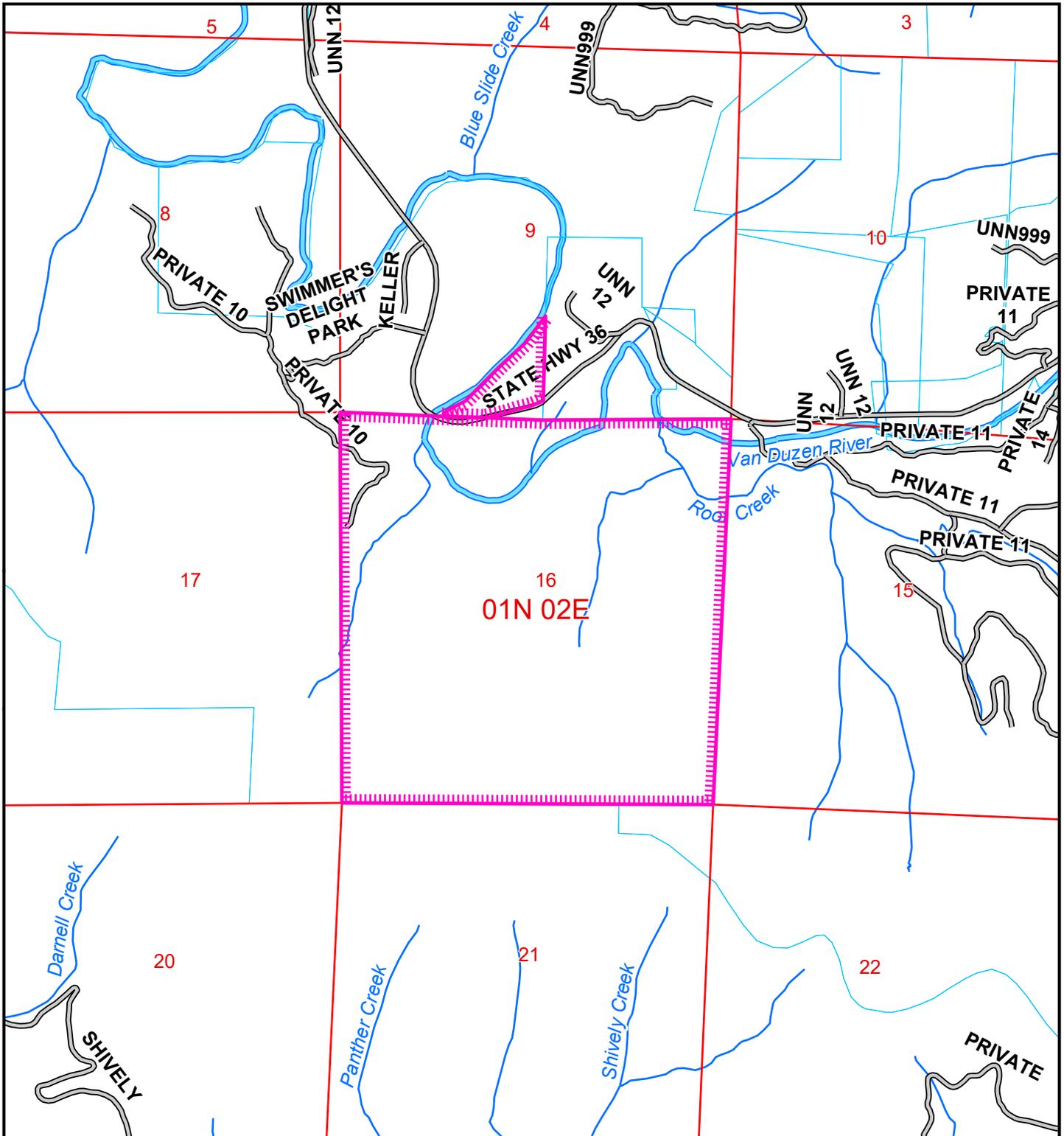
NOW, THEREFORE, be it resolved, determined, and ordered by the Zoning Administrator that:

1. The 15-year renewal is exempt from environmental review under CEQA Guidelines Section 15301; and
2. The 15-year renewal, PLN-2021-17243, of the Conditional Use/Mining Permit, SMR-03-86X/CUP-37-86X, is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on September 15, 2022.

I, John Ford, Zoning Administrator of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Zoning Administrator at a meeting held on the date noted above.

John H. Ford
Zoning Administrator
Planning and Building Department



LOCATION MAP

**PROPOSED HUMBOLDT COUNTY PUBLIC WORKS
CONDITIONAL USE PERMIT & SURFACE MINING PERMIT RENEWAL**

**REDCREST AREA
PLN-2021-17243**

APN: 206-262-019, 209-201-010

T01N R02E S09 & S16 HB&M (Redcrest)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



Attachment 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE SURFACE MINING PERMIT, CONDITIONAL USE PERMIT, AND RECLAMATION PLAN IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

A. Conditions of Approval:

1. All conditions of approval attached to the original permit, SMR-03-86X/CUP-37-86X, and to subsequent renewals, remain in effect.
2. (New) To safeguard the substructure of the State Route 36 Bernie Hemenway Memorial Bridge and prevent further degradation of the stream bed, a mandatory setback of 500 feet from the bridge for all gravel extraction work, both upstream and downstream, shall be imposed.
3. (New) Regarding the two offset driveways onto State Route 36 serving the project:
 - a. The corner sight distance at both driveway intersections need to be improved to meet current State standards.
 - b. Temporary traffic control signs need to be deployed to warn approaching motorists during gravel hauling operations and removed during off-hours.
 - c. The driveway pavement condition will need to be maintained in a state of good repair.

Attachment 2
Applicant's Evidence in Support of Findings

Document	Date Received by Planning	Location
Application Form	May 21, 2021	Attached
Reclamation Plan support document	May 21, 2021	Attached
Property Owner License Agreement	May 21, 2021	On file with Planning
Indemnification Agreement	May 21, 2021	On file with Planning
Email correspondence identifying life expectancy of the aggregate resource	August 24, 2022	On file with Planning



FINAL RECLAMATION PLAN

**PL – VAN DUZEN RIVER BAR
CA MINE ID #91-12-0061
(Humboldt County)
August 2009**

Amended May 2021

Prepared by:

**Humboldt County Public Works Department
Environmental Services Division
1106 Second Street
Eureka, CA 95501
(707) 445-7741**

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OPERATOR

Humboldt County Public Works Department (HCPW)
1106 Second Street
Eureka, CA 95501
Ph. #707-445-7741

OWNER/SURFACE RIGHTS

Humboldt Redwood Co. LLC
P.O. Box 712
Scotia, CA 95565-00712

GENERAL MINING OPERATION INFORMATION

Mined Mineral Commodity

Gravel

Estimated Production

3,000 cubic yards (yd³) annually or 9,000 yd³ once every three years for a maximum of 45,000 yd³ over 15 years.

Total Acres to be Disturbed

19 acres

Total Acres to be Reclaimed

19 acres

Date of Start-Up

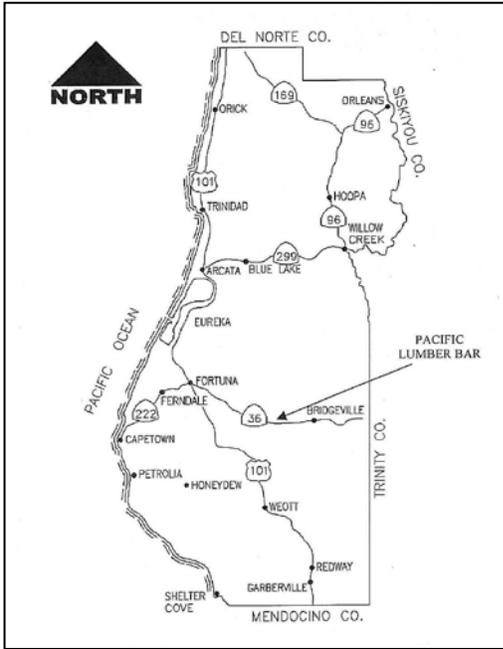
October 4, 1986

Estimated Date of Closure

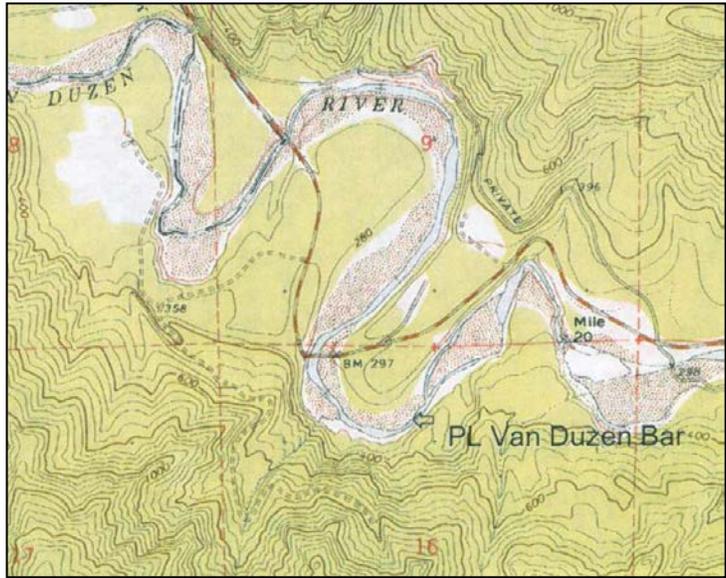
October 4, 2021 (October 4, 2036 if permit renewed)

LOCATION

The Humboldt Redwood Company owned gravel bar on the Van Duzen River (Van Duzen Bar) is 8.5 miles east of Carlotta on State Highway 36. It is located in Sections 9 and 16, Township 1 North, Range 2 East and can be seen on the USGS Redcrest 7.5' quadrangle map. The bar is immediately south of Highway 36 Bridge #4-94 (Highway post mile 13.5). The processing/stockpiling site is located just northeast of the Highway 36 Bridge. See Attachments 1-4 for various maps associated with the site/project



Redcrest 7.5' USGS Quadrangle



SITE DESCRIPTION

The Van Duzen Bar is horseshoe-shaped, occurring along a tight bend on the river. It is about 3,000 feet (ft.) long x 400 ft. wide and is part of a series of alternating bars along a sinuous section of the Van Duzen River. Access to the bar is by an 800 ft. long existing access/haul road, which runs through second growth coastal redwood and Douglas fir forest from the gate at State Highway 36 to the gravel bar. The hillside across the river from the bar is very high and steep, with an active landslide immediately opposite the middle of the bar. A State Highway bridge spans the river at the downstream end of the bar. A site description of the processing/stockpiling area is given on Pg. 16.



From Gravel Bar Looking Downstream Towards Highway Bridge



From Van Duzen Bar Looking Upstream



Active Landslide Across from Bar

DESCRIPTION OF ENVIRONMENTAL SETTING

Geology/Soils

The geology of the project vicinity is undifferentiated rocks of the Wildcat Group. These are primarily massive marine fine-grained sandstone, siltstone, and mudstone from the Pliocene era. The rock is very friable and frequently structureless (Denton 1975).

The Van Duzen Bar is composed of recent alluvium consisting of unconsolidated deposits of boulders, cobbles, gravel, sand, silt, and clay currently being deposited in the river channel. This recent alluvium is defined by the 1-2-year floodplain.

The Yager Fault is located about 1.6 miles northwest of the Van Duzen Bar (Strand 1962, Spittler 1983). This fault is an offshoot of the Little Salmon Fault. There is little information regarding seismic activity on the Yager Fault. However, the Little Salmon Fault has been the subject of some study, including fault trenching in the Fortuna area, and fault evaluation reports for the Little Salmon Fault were used to develop the Alquist-Priolo maps (Personal Communication with Jim Falls, Geologist, August 31, 2007).

There is no soil on the gravel bar, which is below ordinary high water (OHW) and is inundated by the river for several months each year. The land immediately north (adjacent) of the bar is a combination of Ferndale silt loam and Carlotta gravelly loam. The Ferndale silt loam (Fe2), which is found on Van Duzen River floodplains, is well suited for agriculture, with a Storie Index of 100. It supports pasture, the production of high-quality livestock feed, and timber. The Carlotta gravelly loam (Ca6) is an alluvial soil that occurs on low river terraces. It has a Storie Index of 51 and while it supports some pasture, is primarily used for timber production (McLaughlin et. al. 1965). Both soils in the vicinity of the Van Duzen bar have been designated prime agriculture soils (Humboldt County 2009).

Hydrology

Records from USGS river gauge #11478500, located approximately 4.5 miles above the Van Duzen Bar (Van Duzen River mile 24) show a low mean discharge of 15.0 cubic feet per second (cfs), for the month of August to a high mean discharge of 2,140 cfs. for the month of January, based on data from 1951 through 2020. Flood events have produced flows as high as 48,700 cfs. (December 22, 1964) (USGS, 2021).

The unstable geography of the basin, along with human activities and several significant flood events combined to produce significant gravel contribution to the river channel. The mean bed elevation increased in response to the 1964-65 flood event by approximately 12 ft. in the area of Pepperwood Falls, approximately seven miles above the Van Duzen bar, and 9.5 ft. at USGS river gauge #11478500 (4.5 miles above the bar, Berg 2002). In general, mean bed elevation in the Lower Van Duzen River increased in response to the 1964-65 flood, and increased to even higher elevations following the floods of the 1970s. According to Klein (1998), mean bed elevations generally lowered through the 1980s up to 1998. However, sediment transport is storm-dependent by nature, and data for other storms indicate that sediment is largely moved by significant and episodic flows (Resource Design Technology Inc., 1999).

Starting in 1996, with the establishment of permanent monitoring cross-sections on the Van Duzen Bar, the site had been surveyed annually. Review of this data indicates a net loss of ~28,000 yd³ (average -3,457 yd³/year) in the gravel bar reach from 1996 through 2006. Starting with the Army Corps of Engineers Letter of Permission (LOP) permitting process for Humboldt County gravel bars, the monitoring cross-sections were required to be surveyed each year when extracting gravel from gravel bars or at a minimum of once every five years if no extraction had taken place. The first LOP was instituted in 2005 (LOP 2004-1), additional LOP's implemented since then have carried the same survey requirements for the monitoring cross-sections, LOP 2009-1 and LOP 2015-1 respectively. Implementing these new requirements has generated new data but not on an annual basis.

Table 1 – Gravel Volume at Van Duzen Bar

YEAR	VOLUME CHANGE (cy)
1996	-----
1997	-----
1998	-25,266
1999	-9,429
2000	-590
2001	-3,158
2002	2,373
2003	3,767
2004	11,850
2005	-7,200
2006	-----
Net Volume Change (1998-2005)	-27,653
2007	-14,457
2008	-----
2009	19,068
2010	-66,202
2011	70
2012	5,155
2013	79,107
2014	-49,686
2019	-----
2020	1,373
Net Volume Change (2007-2020)	-25,572

Water Quality

The Van Duzen River was listed on The California Clean Water Act Section 303(d) list in 1992 for water quality limited by the impacts of excessive sedimentation. In 1999, the Total Maximum Daily Load for Sediment for the Van Duzen River and Yager Creek was finalized (USEPA 1999).

Water sampling and testing has taken place at various locations along the Van Duzen River through a project called Van Duzen Watershed Project, funded by the California Water Quality Control Board. In addition, Friends of the Van Duzen River have established monitoring locations on several tributaries and on the mainstem. Friends of the Van Duzen River have taken grab samples from October through April in the past and analyzed them for turbidity and suspended sediment concentration. In 2001 and 2002, samples from the mainstem 11 miles downstream of the gravel bar had turbidity values over 25 NTU 63% and 69% of the total days

sampled, with a maximum recorded sample of 1000 NTU in 2002. While turbidity levels are related to flow volumes, turbidity values were high enough to impair salmonid life cycles, even when flows were lower (Harkins 2004). A request for additional sampling data was submitted to Friends of the Van Duzen River, but no additional data has been received as of this date.

From October of 2006 through April of 2008 the Van Duzen Watershed Project collected samples at multiple locations in the Van Duzen watershed. One location in close proximity to the Van Duzen Bar is referred to as Hely Creek in the report titled “Water Quality of the Lower Van Duzen River Basin October 2006 to April 2008”. The Hely Creek monitoring site is located 4.6 river miles downstream from the Van Duzen Bar.

Results from the report for Turbidity, as measured in NTU’s (Nephelometric Turbidity Units), ranged from a low of 2 NTU’s in June 2007 to a high of 440 NTU’s in February 2007. The Clean Water Team Guidance Compendium for Watershed Monitoring and Assessment for California State Water Resources Control Board expects turbidity levels to be between 20-1000 NTU for creeks and rivers in California (CWT 2004).

Total suspended solids (TSS) as measured in mg/L, ranged from a low of <5 mg/L in both November and December of 2006, to a high of 900 mg/L in February of 2007. Research has shown that levels greater than 400 mg TSS/L can be deleterious to salmonid species when they are exposed to these levels for an extended period of time (Caux et al. 1997).

Air Quality & Natural Occurring Asbestos

In 2002 the California Air Resources Board approved an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Final Regulation Order Section 93105). The PL Van Duzen Bar site is located downstream of a known ultramafic rock unit and may contain incidental specimens containing asbestos, serpentine, or ultramafic rock. If in the event naturally occurring asbestos (NOA) is discovered, the North Coast Unified Air Quality Management District will be notified immediately. Stringent dust control measures will be applied during excavation, processing/sorting, and stockpiling operations and during activities associated with final reclamation.

The North Coast Unified Air Quality Management District is in non-attainment for Particulate Matter smaller than 10 microns in diameter (PM10) according to State of California Standards. Sources of PM10 in the project vicinity are from road and natural airborne dust, vehicle emissions, and occasionally forest fires. As part of the plan of operations when extraction takes place from the Van Duzen Bar, a water truck is used regularly to keep nuisance dust emissions at a minimum or eliminated from being emitted from the project site. In addition, water is used during the stockpiling operations for dust control as well as for compaction.

Biological Resources – Vegetation

The California Natural Diversity Database (CNDDDB) listing from April 29, 2021 contains records for three plant species in the area covered by a 1-mile radius from the Van Duzen Bar extraction site (project site), they are: howell’s montia, maple-leaved checkerbloom, and running-pine. These three species are not shown as occurring at the project site. The project site or vicinity does contain habitat for these three species. From the CNDDDB current listing for these three

plant species, neither the State or Federal status lists them as being threatened or endangered plant species. The California Native Plant Society has ranked these plants as List 2B.2 for howell's montia, 4.2 for maple-leaved checkerbloom, and 4.1 for running-pine. Plants ranked under the 2B classification are rare in California but common elsewhere, and with a 0.2 threat rank, howell's montia would be considered moderately threatened in California. Plants ranked under the 4 classification are of limited distribution or infrequent in California (maple-leaved checkerbloom and running-pine). A threat rank of 0.2 for maple-leaved checkerbloom would give it a consideration of being moderately threatened in California. A threat rank of 0.1 for running-pine would give it a consideration of being seriously threatened in California. (CNPS Rare Plant Ranks, California Native Plant Society, 2021)

Howell's Montia

Howell's montia (*Montia howellii*) is found in north coast coniferous forests, in vernal wet sites, often on compacted soil. CNDDDB contains records of howell's montia approximately 0.4 miles west of the project site. The gravel bar where extraction operations are performed, does not contain habitat for Howell's montia. There is habitat along the access road.

Maple-leaved Checkerbloom

Maple-leaved checkerbloom (*Sidalcea malachroides*) is found in north coast coniferous forests, it is a perennial herb often growing in disturbed and moist clearings near the coast of the Coast Range in Northern California and Oregon. CNDDDB contains records of maple-leaved checkerbloom approximately 1.0 mile north of the project site. The gravel bar where extraction operations are performed, does not contain habitat for Maple-leaved checkerbloom. There is habitat along the access road and in the project site vicinity.

Running Pine

Running pine (*Lycopodium clavatum*) is found in north coast coniferous forests, in mesic sites with partial shade and light. CNDDDB contains records of running pine approximately 1.5 miles southwest of the project area. The gravel bar where extraction operations are performed, does not contain habitat for running pine. However, the access road and project vicinity contain habitat.

Biological Resources – Wildlife (Federal)

The following species of wildlife are listed by the US Fish & Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) as threatened or are candidates for listing for the area associated with the Van Duzen Bar site for May 2021.

Table 2 – USFWS and/or NMFS Listed Species

SCIENTIFIC NAME	COMMON NAME	STATUS	CRITICAL HABITAT
Fish			
<i>Oncorhynchus kisutch</i>	SONCC Coho salmon	Threatened (2021)	Yes (1999)
<i>Oncorhynchus mykiss</i>	Northern CA steelhead	Threatened (2021)	Yes (2005)
<i>Oncorhynchus tshawytscha</i>	CA coastal Chinook salmon	Threatened	Yes

		(2021)	(2005)
Birds			
<i>Brachyramphus marmoratus</i>	Marbled murrelet	Threatened (2021)	Yes (1996). Revision Proposed (2006)
<i>Coccyzus americanus</i>	Western yellow-billed cuckoo	Threatened (2021)	No
<i>Strix occidentalis caurina</i>	Northern spotted owl	Threatened (2021)	Yes (1992)
Mammals			
<i>Martes pennanti pacifica</i>	Pacific fisher	Resolved Taxon (2021)	No

Western Yellow-Billed Cuckoo

Western yellow-billed cuckoos breed in dense willow and cottonwood stands on river floodplains (USFWS 2007). The project area does not contain habitat for western yellow-billed cuckoos. There is habitat for cuckoos in the project vicinity.

Pacific Fisher

Pacific fishers inhabit relatively undisturbed late-successional forest, nesting in rotting logs or tree cavities, and avoiding large open areas (Pacific Biodiversity Institute 2007). The project area does not contain habitat for pacific fisher. There is habitat for fishers in the project vicinity.

Coho, Chinook, and Steelhead Habitat in the Van Duzen River

Coho salmon, chinook salmon, and steelhead trout are known to inhabit the Van Duzen River. The river provides habitat for salmonids up to river mile 47, where Eaton Rough Falls is a barrier to upstream migration. In general, salmonid habitat in the river is degraded due to low holding pool frequency, high water temperatures (especially in the autumn), and subsurface flows because of excessive sediment. The habitat quality has been degraded by both natural events (especially the 1964-65 flood) and anthropogenic events (especially timber harvest, road construction, and grazing), both of which have contributed to the high sediment input. Limiting factors include loss of pools and reduction of holding and rearing habitat. Fish stranding has been observed, especially at the confluence of the Van Duzen and Eel Rivers (Berg et. al. 2002).

The mainstem of the Van Duzen River is a migration corridor for salmonids. In addition, rearing habitat for juvenile steelhead can be found in the form of pockets of refugia, especially temperature-stratified pools (Personal Communication with Steve Cannata, Biologist, August 8, 2007). Since 1997, the commercial gravel operators in Humboldt County have conducted fisheries monitoring activities as a requirement of the U.S. Army Corps of Engineers (USACE) Letter of Permission (LOP), California Department of Fish and Wildlife LSAA permits, and individual Clean Water Act Section 401, Water Quality Certification permits. The terms and conditions of the biological opinions (National Marine Fisheries Service [NMFS] 2004a, 2004b) that cover gravel-mining activities in Humboldt County require monitoring to track habitat conditions for listed salmonids.

Fish habitat mapping was performed along the Van Duzen Bar reach by Dennis Halligan (biologist, Natural Resource Management Corporation) in 2003. Water depth at riffle crests and

the deepest parts of pools were measured, and the locations marked on an aerial photograph of the bar. Water depth varied from 0.5 ft. to 8.0 ft. Six pools and eight riffles were observed, with runs interspersed throughout the reach. Evidence of old redds was also observed. It is assumed that the gravel bar reach supports adult and juvenile salmonid migration and may provide juvenile salmonid rearing habitat (especially steelhead) in the pools.

Additional fish habitat mapping was performed in 2013 and 2019 by Dennis Halligan (biologist, Stillwater Sciences). As with previous versions of the Humboldt County Gravel Operators Report, water depth at riffle crests and the deepest parts of pools were measured, as well as flat water, and the locations marked on an aerial photograph of the bar.

For the 2013 biological monitoring program, water depth varied from 0.5 ft to 7.3 ft with five pools and nine riffles noted with flat water runs spread throughout. There were six areas noted as adult holding habitat for salmonids and three areas noted as spawning habitat within the Van Duzen Bar reach. Other habitat components of significance noted were: Age 2+ steelhead, Alcove, and Coho.

For the 2019 biological monitoring program water depth varied from 0.5 ft. to 7.6 ft., with six pools and six riffles noted with flatwater runs spread between riffles and pool locations throughout the bar. For the Van Duzen Bar reach six locations were noted for adult holding habitat for salmonids in 2019, with three areas noted as spawning habitat. Other habitat components of significance noted were: Age 2+ steelhead.

Gravel extraction operations at the Van Duzen Bar do not involve any contact with surface water, all extractions take place on the dry, upper portions of the gravel bar. Further, extraction operations are completed prior to the start of fall or early winter rains, typically by October 15th annually.

Northern Spotted Owl

Northern spotted owls prefer old growth or mixed-age stands of mature and old growth trees. Superior habitat attributes include a multilayered, multispecies canopy dominated by large (>30-inch diameter at breast height) conifer overstory with an understory of shade-tolerant conifers or hardwoods; moderate to high (60-80%) canopy closure; substantial decadence in the form of large live conifers with deformities (cavities, broken tops, mistletoe infection); numerous large snags; a large accumulation of logs and woody debris on the forest floor; and a canopy open enough to allow owls to fly within and beneath. (Thomas 1990).

Owls nest in large live trees with broken tops or cavities. In northern California, owls roost in areas with moderate to high canopy closure (60-80%), multi-layered with multiple tree species. Foraging activities can take place in a wider array of forest types, including more open forests. While owls forage in dense forests, they also forage along the edges of dense forests and in more open forests for different prey (USFWS 2004). Nesting season is from February 1 through July 10 (USFWS 1998).

The project area does not contain habitat for northern spotted owls. However, northern spotted owls are known to inhabit the project vicinity downstream within the State and County Parks.

In consideration of the potential impact to the northern spotted owl nesting season, the start of extraction operations at the Van Duzen Bar will be after July 10th.

Marbled Murrelet

Marbled murrelet are long-lived seabirds that spend most of their life in the marine environment but fly inland to nest. Courtship, foraging, loafing, molting, and preening occur in near-shore marine waters. Nesting generally occurs in old-growth forests, characterized by large trees (typically Douglas fir and coastal redwood), multiple canopy layers, and moderate to high canopy closure (USFWS 2007). Nesting habitat is located close enough to the marine environment for the birds to fly to and from the nest site. Nesting season is March 24 through September 15 (USFWS 1998).

The project area does not contain habitat for marbled murrelet. However, marbled murrelets are known to inhabit the project vicinity downstream within the State and County Parks.

Biological Resources – Wildlife (State)

The California Natural Diversity Database (CNDDDB) listing from April 29, 2021 contains records for eight animal species in the area covered by a 1-mile radius from the Van Duzen Bar extraction site (project site). These eight species are composed of four birds, osprey, sharp-shinned hawk, bank swallow, and marbled murrelet; three amphibians, southern torrent salamander, northern red-legged frog, and foothill yellow-legged frog; and one reptile, western pond turtle. None of the eight listed species are shown as occurring at the project site from the most current CNDDDB listing.

From the CNDDDB listing of the eight species above, three species are listed as endangered or threatened by the State ranking and one is listed as threatened by Federal ranking. Both the foothill yellow-legged frog and the marbled murrelet are listed as endangered by the State, while the bank swallow is listed as threatened by the State. The lone animal species listed by a Federal ranking of threatened is the marbled murrelet. For the foothill yellow-legged frog, habitat does exist at the project site. The Van Duzen Bar site is within the North Coast clade of the foothill yellow-legged frog. Under current CDFW guidelines for the North Coast clade of the foothill yellow-legged frog, it is not listed as being endangered but retains the status of Species of Special Concern. Thus, the current CNDDDB ranking of endangered is not applicable for the project site. There is no habitat at the project site for the marbled murrelet, however habitat does exist further downstream from the project site within the State and County Park properties. Some marginal habitat may exist across the river from the project site at the active slide for the bank swallow, none have been observed either in the past or currently.

Osprey

Osprey (*Pandion haliaetus*) inhabits areas with fresh water lakes and larger streams/ rivers. It nests in treetops near good, fish-producing bodies of water. Ospreys have been found in the vicinity of the Van Duzen Bar, and the project site area and vicinity contain habitat for osprey.

Sharp-shinned Hawk

Sharp-shinned hawks (*Accipiter striatis*) inhabit woodlands, and forest edges, they are not found where trees are scarce, except on migration. They breed and nest mainly in dense forest with a closed canopy. The project site does not contain typical habitat for sharp-shinned hawk, but adjacent property does contain habitat.

Bank Swallow

Bank swallows (*Riparia riparia*) inhabit low areas along rivers, streams, ocean coasts, and reservoirs, that have vertical cliffs or banks for nesting. They forage in open areas and avoid places with tree cover. There does not appear to be any suitable habitat at the project site, however across the river from the project site some marginal habitat does exist for the bank swallow.

Marbled Murrelet

Marbled murrelets (*Brachyramphus marmoratus*) nests in moist coastal coniferous forests, usually within a few miles of the ocean and especially in old-growth forests. The project site does not contain suitable habitat for the marbled murrelet, however habitat does exist northwest of the project site in the State and County Park properties.

Southern Torrent Salamander

The Southern torrent salamander (*Rhyacotriton variegatus*) occupies coastal coniferous forests from Northern California to Northern Oregon, in small, cold, clear, high gradient streams, especially in gravel-dominated riffles with low sedimentation. The southern torrent salamander typically occurs in older forest sites with large conifers, abundant moss, and greater than 80% canopy closure. The project site does not contain suitable habitat for the southern torrent salamander, however habitat does exist northwest of the project site in the State and County Park properties.

Northern Red-Legged Frog

Northern red-legged frog (*Rana aurora*) inhabits humid forests, woodlands, grasslands, and stream sides near dense riparian cover. It is usually near permanent water in damp woods and meadows. The project site and vicinity contain habitat for northern red-legged frog.

Foothill Yellow-Legged Frog

Foothill yellow-legged frogs (*Rana boylei*) inhabit areas that are partly shaded shallow streams and riffles with rocky substrate. The project site and vicinity contain habitat for foothill yellow-legged frogs.

Northwestern Pond Turtle

Western pond turtle (*Acinemys marmorata*) inhabits areas with permanent or nearly permanent water, with basking sites. It has been found on the Van Duzen River, in Van Duzen County Park (1.2 miles downstream from the project site). The project site and vicinity contain habitat for western pond turtle.

Cultural Resources

Based on records held by the HCPW, Natural Resources Division, no archaeological or historical resources are known to exist within the project area.

GENERAL LEAD AGENCY INFORMATION

Lead Agency

Humboldt County Building and Planning Department, Planning Division

Staff Contact

Joshua Dorris, Senior Planner

Phone Number

(707) 445-7541

Address

3015 H Street
Eureka, CA 95501

Surface Mining/Conditional Use Permit Number

SMR-03-86X/CUP-37-86X

Date Issued

Pending

Expiration Date

October 4, 2036

Financial Assurances

Approved March 23, 2021 (Humboldt County Board of Supervisors), updated annually

DESCRIPTION OF MINING ACTIVITIES

This amended Reclamation Plan does not contain any changes to the extraction operations that HCPW performed in 2019 on the Van Duzen Bar. Further, there will be no changes in extraction operations described in the Planning Department staff report dated July 30, 2009 for the permit renewal of Surface Mining Permit SMR-03-86X and Conditional Use Permit CUP-37-86X.

Most significantly, this includes no changes to the area permitted for gravel extraction or processing, no changes to the access roads, no changes to the processing site, no changes to method of extraction, no changes to start or end dates or times of operations, and no changes to volumes extracted.

HCPW plans to extract up to 3,000 yd³ of gravel as frequently as annually or 9,000 yd³ as often as once every three years, totaling no more than 45,000-yd³ over a period of 15 years.

Gravel extraction on the Van Duzen Bar requires permit coverage from the following environmental regulatory agencies:

- Humboldt County Planning Division
- U.S. Army Corps of Engineers (ACOE)

- California Department of Fish & Wildlife (CDFW)
- Regional Water Quality Control Board (RWQCB)

In addition, due to the presence of wildlife federally listed as threatened, the National Marine Fisheries Service (NMFS) has written a Biological Opinion (BO) containing terms and conditions for gravel extraction on the Van Duzen Bar.

All proposed actions will conform to and comply with the requirements and conditions of all issued permits and the most current BO.

Gravel Extraction

Traditional skimming is the preferred extraction method for this site, based on the topography and size of the bar. Other extraction methods that may be employed at the site include narrow skims, trenching, horseshoe skims, alcove extractions, and wetland pit methods. Volume, location and extraction method(s) will be determined using recommendations made by the County of Humboldt Extraction Review Team (CHERT) and participating regulatory agency staff.

CHERT is an independent team of objective experts in the fields of geology, hydrology/river geomorphology, and fisheries biology. CHERT assists gravel operators in extraction design, reviews proposed designs, and makes recommendations to bring designs into conformance with environmental permit conditions and requirements.

In the spring, CHERT, along with other regulatory agencies (typically ACOE, CDFW, and NMFS representatives) will visit the site with HCPW staff to evaluate the availability of material, best location for an extraction, volume to be extracted, and type of extraction to perform. It is during the spring site visit that the fundamentals of the extraction such as extraction method, location, size, and logistics are discussed. By the end of the visit a basic design has been agreed upon, including peripherals like on-bar haul roads, temporary stockpile locations, vertical and horizontal setbacks from edge of water and environmentally sensitive areas.

Following the CHERT site visit, a pre-extraction proposal is prepared for CHERT and the other participating regulatory agencies. Spring or early summer annual monitoring cross-sections (MCS) and seasonal pre-extraction cross-sections (ECS) will be surveyed and superimposed on an aerial photograph of the site (Site Plan). The Site Plan also includes temporary haul road locations, limits of extraction, temporary stockpile locations, and the equipment staging area. This Site Plan will further include identification of environmentally sensitive areas, rare plant species and riparian vegetation known to exist within the project limits. A discussion of the proposed extraction methodology will be included in the proposal, along with a work plan for the proposed action. The following is a summarized list of information included in the extraction proposal:

- Monitoring cross-sections
- Extraction cross-sections
- 35% Exceedance Flow Elevations
- Extraction Volume Calculations
- Project Limits (to include area of equipment parking, fueling and maintenance, extraction, temporary roads/turnout and stockpile areas).
- Calculation of the area disturbed by the project (acres)
- Extraction Techniques

- Minimum Head of Bar Buffer
- Minimum Floor Design Elevation
- Woody Debris, Vegetation and Wetlands
- Structure Setbacks

The pre-extraction proposal is then submitted to CHERT and the approving agencies for review. If CHERT recommendations are favorable for approval then ACOE, NMFS, and CDFW staff provide concurrence. The County may only begin harvest activities upon receipt of a Letter of Modification under LOP 2015-1 from ACOE and a LSAA Agreement letter from CDFW regarding stream alteration as well as a Water Quality 401 Certification from the RWQCB. Only upon approval of the above-mentioned agencies and their corresponding permits can the operator commence operations.

Upon approval of the pre-extraction proposal, and prior to extraction activities, survey cut stakes depicting design elevations, cut slope design and location, temporary haul road alignment, and limits of operation will be set throughout the extraction area to guide equipment and set boundaries for the operation.

Access to the extraction site is via an existing graveled/paved haul road, which enters the gravel bar from the northeast side. A seasonal, temporary haul road is designed to traverse the open gravel bar by the shortest route possible and is further designed to avoid existing areas of riparian vegetation. The topography of the bar will be considered during the design of temporary roads to minimize disturbances associated with cut and fill during construction of these roads.



Access/Haul Road to Gravel Bar

Equipment utilized during the extraction operation may consist of a bulldozer, excavator, front-end loader, dump trucks, and water truck. Working within the pre-set cut stakes, the bulldozer, excavator, or front-end loader will first construct a temporary haul road per approved alignment and design. This will be followed by equipment removing gravel from the extraction area(s) and creating temporary windrows or surge piles. A front-end loader or excavator will remove the

material from the bar by placing it in dump trucks for transport to the offsite stockpile location for processing and storage.

Gravel extraction activities will be conducted after July 10 to avoid the northern spotted owl nesting period, typical extraction operations have historically taken place in late August or September. The United States Fish and Wildlife Service (USFWS) has determined based on the distance to the nearby old growth forest and the presence of Highway 36, that a seasonal restriction for marbled murrelet would not be necessary. Gravel extraction operations at the project site will typically take two to three weeks to conclude and must be terminated before winter rains begin. The removal of surge piles on the bar and final grading at end-of-day requirements go into effect after October 1. All gravel extraction activity must cease as of October 15 unless an approved river flow-monitoring plan is enacted, and a time extension has been granted. Continuance of these activities beyond October 15 is dependent on submittal and approval of the plan prior to the October 15 termination date.

Dust control measures will consist of watering the haul road and surge pile/extraction area(s) as needed with a water truck. With approval from the participating regulatory agencies, water for dust suppression purposes may be sourced directly from the bar via a temporary sump, located at the downstream end of a large (dry) secondary channel or water may be delivered from an offsite source.

Post-Extraction Winterization and Monitoring

Following completion of the extraction, post-ECS will be surveyed through the harvested area. Any MCS transecting the harvested area will also be surveyed following completion of extraction operations. Once survey work has been completed comprehensive reports will be submitted to County Planning, CHERT, ACOE, CDFW, and NMFS by December 1 of each year that extraction occurs. After surveys are complete, the extraction area will be reclaimed according to permit requirements and CHERT recommendations. This includes grading the extraction area to facilitate free drainage and prevent fish stranding. Temporary stockpiles will be removed from the bar and temporary haul roads on the bar will be scarified to reduce compaction. Any area outside the approved limits of operation will be straw mulched as necessary to reduce offsite sediment transport of fines associated with the disturbance. The permanent haul road to the bar will be winterized as necessary to reduce offsite sediment transport and all equipment will be removed from the site. Monitoring will consist of regular inspections of the site by HCPW personnel for stormwater management and security.

Processing Area Site Description

The upland area utilized for processing, sorting, and stockpiling could be described as disturbed grassland. This area is approximately 5 acres in size, is reasonably flat, is located north of Highway 36, and 1,725' northeast of the PL Van Duzen Bar. Local vegetation consists of scotch broom (*Cytisus scoparius*), annual grasses, and a few isolated second growth redwoods and alder. Due to the nature of the surrounding forest, it is safe to assume that this area was once old growth conifer. The site is also the location of a County owned, former solid waste transfer facility, operated by Eel River Disposal. The processing site is no longer being operated as a transfer facility. Access to the site is gated, the roadway is 24' wide, and the road surface is asphalt. The processing/stockpiling area is approximately 1.66 acres in size. A forested area approximately 150' in width separates the operation from the Van Duzen River along the northwest side. The area to the northeast of the project is dense second growth forest. There is a property consisting of a residence, outbuildings, and pasture located approximately 1,320' northeast of the project. Highway 36 lays 570' to the southeast and 835' to the southwest. Areas to the southeast and

southwest consist of a mixture of various vegetation, primarily annual grasses, scotch broom, second growth redwood, and alder.

Processing Activities

A portable crusher assembly (Plant), consisting of a jaw and/or cone crusher, screen deck, conveyors, and a portable generator may be used for crushing, and will be transported to the site and erected once every few years as demand for processed aggregate dictates. The Plant will be located just north of the County owned, solid waste transfer facility. Aggregate from the surge stockpile will be fed to the crusher via a front-end loader. Processed/sorted aggregate will then be transferred from the radial stackers (conveyors) to permanent, onsite stockpiles for future use by HCPW road crews. The protocol described below regarding fueling, lubing and maintenance activities will be adhered to during all phases of operation.

Post-Processing Winterization and Monitoring

Once processing activities are completed, the Plant will be dismantled and removed from the area. Any contaminated/hazardous material accumulated during the operation will be removed from the site per protocol described under the Hazardous Material Management section of this Plan. Stormwater runoff is not expected to be an issue at the site due to the broad band of vegetation surrounding the area of operation and the lack of gradient towards the perimeter of the site. Monitoring will consist of regular inspections of the site by HCPW personnel for stormwater management and security.

Traffic Control

Traffic control will consist of placing warning signs along Highway 36 on both sides of the gravel bar access road and road leading to the processing, sorting, and stockpiling site. It will not be necessary to detour traffic or restrict vehicles to one lane. Minor traffic delays may occur as highway vehicles slow down when they encounter trucks entering or exiting the highway from the bar access road. Delays will be temporary, ending when extraction and reclamation activities are completed, and trucks and equipment leave the area.

Fueling and Maintenance

All fueling, lubing, and equipment maintenance will be performed in a responsible manner. The designated staging/storage area for equipment, fuels, lubricants, and solvents related to extraction activities will be along a turnout adjacent to the access road, located approximately halfway between the inboard edge of the upper terrace (open bar) and Highway 36 (see Site Plan, Attachment 4). Equipment will be inspected for leaks prior to starting each shift, following lunch breaks, and at end of shift each workday. Maintenance involving the removal/repair of hydraulic cylinders/hoses or of reservoirs containing hazardous products will be performed over impervious fabric resistant to Total Petroleum Hydrocarbons (TPH). A minimum of two sealed 5-gallon spill kits will be kept onsite at all times during extraction/processing operations. All activities related to fueling, lubing, and maintenance will be performed in the designated staging area only. The single, valid exception to this requirement is when equipment breaks down onsite and must be repaired in the field. In those instances, every effort will be made to guard against and control spills. The functional condition of fuel transfer pumps, hose assemblies, and emergency shutoff switches will be evaluated prior to usage. Personnel tasked with fueling will remain near the emergency shutoff switch during fueling operations. Topping off of fuel tanks will not occur. Fuels and lubricants will not be stored onsite after-hours or on weekends. Although not described in this text, a Spill Contingency Plan will be included in the annual extraction proposal and will be subject to review and approval. Operations personnel will be familiar with all aspects of the Plan prior to the startup of extraction/processing operations.

Either an electric or gasoline powered water pump may be used to supply water to the crushing equipment; dust suppression system. When a gasoline powered water pump is utilized, it will be situated over a drip pan or impervious fabric resistant to TPH and will be securely stored or removed from the site at end of shift each workday.

The designated staging/storage area for equipment, fuels, lubricants, solvents, and maintenance related to processing, sorting, stockpiling activities would occur within the boundary of operation as depicted in the Site Plan (see Attachment 4). Fueling, lubing, and maintenance will be performed in accordance with the above-mentioned protocol as it relates to extraction activities. A minimum of two sealed 5-gallon spill kits will be kept onsite during processing activities. One sealed 5-gallon spill kit will be kept onsite during off-haul activities from the stockpile area.

Hazardous Material Management

If leaks or spills occur in the area of operation during any extraction, processing, or stockpiling operations, they will be controlled immediately. All contaminated soil will be recovered from the site and stored in DOT approved containment vessels. All stored contaminated/hazardous material will be removed in a timely manner and disposed of at an approved disposal facility.

Interim Activities

Interim monitoring will consist of regular inspections of the site by HCPW personnel for stormwater management and security.

Annual Monitoring and Reporting Activities

Under the existing LOP 2015-1 each year and preceding year of gravel extraction or every five years at a minimum, monitoring consists of surveying the pre-established MCS as required by the permitting agencies. Results are submitted to the ACOE, by December 1 of the applicable year. Humboldt County Planning Division staff also inspects the gravel bar annually. Reporting includes annual reports submitted to the local lead agency and California Department of Conservation, Division of Mine Reclamation as required by SMARA. Following permit expiration or final closure of the site, no subsequent monitoring/reporting will be performed.

FINANCIAL ASSURANCES

Financial assurance cost estimates for 2021 are outlined in Table 3, below. Financial assurances are updated annually. The financial assurance mechanism is put in place to assure reclamation activities are funded, these funds are reflected in the table below. The 2021 Financial assurance was approved by the Humboldt County Board of Supervisors on March 23, 2021.

Table 3 - Financial Assurances 2021

ACTIVITY	COST (\$)
<i>Direct Costs</i>	
Primary Reclamation Activities (finished grading, revegetation, miscellaneous,)	1,418.66
Monitoring Costs (surveyed cross-sections, 1 year)	420.00
<i>Indirect Costs</i>	
Contingencies, Supervision, Mobilization	509.31

Lead Agency Administration Cost	500.00
<i>Total Estimated Cost</i>	<i>\$2,847.97</i>

RECLAMATION ACTIVITIES

Post-Extraction Reclamation Activities

Reclamation of the gravel bar is ongoing and is completed at the end of each extraction event. The following is a listing of the primary activities that take place following each extraction operation:

- Temporary stockpiles are removed from the bar.
- Incidental holes, depressions, or any other features created during extraction activities are graded smooth to facilitate free drainage and prevent fish stranding.
- Haul roads on the bar are scarified to reduce compaction.
- Any disturbed area outside the approved limits of operation is groomed and straw mulched as necessary to reduce offsite sediment transport of fines associated with the disturbance.
- Post-extraction inspections are conducted with CHERT, NMFS, CDFW, and ACOE; occasionally RWQCB and Planning Department personnel participate as well.
- Post-extraction cross-sections are surveyed, and a post-extraction report filed with CHERT and other regulatory agencies.

Final Reclamation Activities

Gravel Bar/Access Road

Final reclamation activities will commence when mining on the PL Van Duzen Bar by HCPW under this Reclamation Plan has ceased. In addition to the post-extraction reclamation activities, and with property owner concurrence, the gravel bar access road will be decommissioned by scarifying to reduce compaction. The road alignment will then be seeded with fast growing native grasses and mulched for erosion control. Since the road is no wider than 15 ft. and surrounded by forest, it is anticipated that local tree species (redwood, Douglas fir) will naturally invade the area.

Processing/Stockpile Area

Final reclamation activities in this area may not commence for several years following reclamation of the gravel bar access road as it is anticipated that the volume of aggregate processed and stockpiled at the site will provide HCPW material for several years into the future. As the supply of various products is consumed, reclamation may be completed in phases. The primary reclamation of this area will be the removal of residual alluvial material imported from the river bar. Once this phase of reclamation is completed, the site will be finish graded to duplicate the topography of the surrounding, undisturbed portion of the meadow and reseeded with a mix of native grasses commonly used for erosion control. As the riparian corridor between the operations area and the riverbank is 150 ft. wide and has not been disturbed, it is not anticipated that restoration or re-vegetation associated with this area will be necessary.

Post Reclamation Land Use

Gravel Bar/Access Road

The land use designation for this area (assessor parcel #209-201-010) is timber production, and the land is zoned timber production zone. The extraction area is river gravel bar below ordinary high water, and naturally contains no vegetation appropriate for timber production. Redwood and Douglas fir trees surround the 800 ft. long x 15 ft. wide access road. The roadbed will be decommissioned, and the alignment used for timber production when final reclamation is complete. There will be no mining-associated activities by HCPW on the remaining portion of the parcel.

Processing/Stockpile Area

The land use designation for this area (assessor parcel #206-262-019) is agricultural or forest products processing plants, which includes any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the AE Zone. This parcel is zoned Agricultural Exclusive. The area that is in use as a processing and stockpile site will be reclaimed to a state compatible with an AE zone use as described above under Final Reclamation. That portion of the site currently being utilized as a solid waste transfer facility will not be considered for reclamation.

Time Schedule

Gravel Bar/Access Road

Annual Reclamation will be completed immediately after each extraction and associated post-extraction survey, and before winter rains begin. Final reclamation will immediately follow the last extraction and associated post-extraction surveys. Annual reclamation requires less than one day to complete. Final reclamation at the end of the project may take 2-5 days to complete.

Processing/Stockpile Area

Final reclamation of the processing/stockpile location will commence as processed material is removed from the site. Removal of these materials is dependent on demand. Years with above-average rainfall will require above-average road repair and deplete this source rapidly, whereas several years with below-average rainfall will result in less usage.

Topography

Gravel Bar/Access Road

The gravel bar will be finish graded, removing all depressions within the extraction area. The access road will be decompacted (ripped) along its length to reduce compaction. The portion of the road that is surfaced will be ripped and the asphalt removed from the site. If removal of the asphalt results in depressions, those areas will be resoiled as necessary to replicate the surrounding topography.

Processing/Stockpile Area

Once the residual alluvial material has been removed, the site will be finish graded to replicate the topography of the surrounding, undisturbed portion of the meadow. The existing access road will not be decommissioned, as it will continue to be utilized by the solid waste transfer facility.

Resoiling

Gravel Bar/Access Road

The extraction area is an alluvial deposit below the ordinary high-water mark that does not include topsoil. As there is no evidence of deep grading on the access road that would have resulted in the removal of all topsoil, no topsoiling is planned for the graveled portion of this road. The paved portion of the roadway may require resoiling following removal of the asphalt to create homogeneous elevation, consistent with those in the surrounding area.

Processing/Stockpile Area

It is not expected that topsoiling will be necessary to complete finish grading at the site as there is no evidence of depressions or other features that would require fill.

Revegetation

Gravel Bar/Access Road

There is no vegetation in the extraction area other than annual grasses, Scotch Broom, and isolated clumps of willow. Riparian vegetation has not been disturbed during extraction activities, therefore no revegetation of the open bar surface will occur during final reclamation. Revegetation of the access road alignment will consist of seeding with a mix of native grasses commonly used for erosion control. The seed mix will likely contain Cucamonga brome (*Bromus carinatus* “Cucamonga”), three weeks fescue (*Vulpia microstachys*), and tomcat clover (*Trifolium wildenovii*), or similar species, and will be applied at a rate of 45 pounds/acre. Seed application will be done shortly after the road alignment is ripped in late autumn. The seeded area will be mulched with weed-free straw. Revegetation success will be based on aerial coverage of 80% one year after planting and 97% two years after planting. Subsequent planting/mulching will be done as necessary to facilitate meeting these goals. As the area surrounding the road is heavily forested, it is anticipated that shrub and tree species will naturally encroach on the road alignment. Shrubs and trees will be included in the coverage calculations.

Processing/Stockpile Area

Revegetation of the operational area will occur prior to fall rains once stockpiles are removed and the site is finish graded. An erosion control mix similar to that applied to the gravel bar access road will be used in this area as well. The seeded area will be mulched with weed-free straw. Revegetation success will be based on aerial coverage of 80% one year after planting and 97% two years after planting. Successive planting/mulching will be done as necessary to facilitate meeting these goals. No trees were disturbed or removed during initial site preparation or subsequent years of operation therefore; no areas of this site will be reforested. Once the river-run stockpile has been removed, it may be necessary to construct an earthen berm to intercept and control stormwater runoff from the northwest perimeter of the site. If constructed, the berm will be seeded with an erosion control mix and mulched with weed-free straw prior to winter rains.

Post-Revegetation Monitoring

Post-revegetation monitoring of both sites will consist of individual three-year Monitoring Plans developed to determine the success of revegetation. As commencement of final reclamation of the sites will likely occur at different times, each Monitoring Plan will be initiated as each site is reclaimed. Revegetation success will be determined by assessing percent of aerial cover in sample plots located on the road alignment. The number, size, and location of the plots will be

determined by a qualified botanist and will also perform cover assessments. In addition, photographs will be taken at established photo points to document revegetation status.

Invasive Weed Control

Invasive weeds identified as either on or near areas to be decommissioned and revegetated will be removed during reclamation. Invasive weed status will be monitored during post-reclamation monitoring. Invasives that are identified during monitoring will be removed.

Impact of Reclamation on Future Mining in Area

Reclamation of the gravel bar will not affect the possibility of future mining at this site. Continued landslides upstream of the Van Duzen Bar will perpetuate sediment transport to the site into perpetuity. Reclamation of the processing, sorting, and stockpiling site will not affect the possibility of future operations at this site as well, since the area will not be reforested.

Impact of Reclamation on Public Health and Safety

The final topography of the sites, once reclamation is completed will not pose a hazard to the public. All equipment will be removed from the sites. Any contaminated material will have been removed; therefore, there will be no risk of exposure to hazardous materials. Both sites are privately owned. Public access to the HRC property will be allowed or restricted at the property owner's discretion. The County owned property will continue to be utilized as a solid waste disposal and transfer facility and will remain accessible to the Public during business hours. The site access road is gated to deter access to the Public during non-business hours but will continue to be accessible by foot.

RECLAMATION PERFORMANCE STANDARDS

Wildlife Habitat

Objective – Maintenance and improvement of habitat for anadromous fish.

Extractions will be designed, with the assistance of CHERT, ACOE, CDFW and NMFS, to minimize impacts to fish and fish habitat. Only during rare instances will extractions designs be proposed and approved below 35% Exceedance Flow (E.F.) elevations. The 35% E.F. criteria were established by NMFS to minimize impacts associated with fine sediment transport from the extraction area during the initial high flow event. This is typically a period when large numbers of salmonids migrate upstream through the reach to spawn. By limiting extraction design elevations, it is assumed that the majority of salmonids will have passed through the reach prior to flows overtopping the bar and flushing fine sediment from the extracted area into the stream. Following inundation and flushing of the extraction site and as flows diminish, an armoring effect takes place on the bar surface. This condition binds and stabilizes aggregate and fine sediment, thereby reducing sediment transport during subsequent high-flow events that occur over the course of the winter. Often, unique extraction methods are utilized to construct salmonid migration routes through restricted areas of the reach or extraction methods may be applied that create fish habitat or enhance existing habitat. Placement of large woody debris (LWD) through the extracted area or in the vicinity of the extraction is an excepted method of creating high-flow refugia or channel complexity features and may be incorporated into a project design as well.

Backfilling, Regrading, Slope Stability, and Contouring

Objective – Reduce possibility of fish stranding.

During seasonal as well as final reclamation, all extraction areas will be graded to finish form to alleviate the potential for fish entrapment associated with depressions or other unnatural features that may have been created during extraction operations. The gravel bar access road will be decompacted by ripping in preparation for natural revegetation. The processing, sorting, and stockpiling area will be regraded to duplicate the surrounding landscape and to prepare for revegetation.

Revegetation

Objective – Reestablish vegetation consistent with seasonally inundated gravel bar. Reestablish vegetation on access road alignment and processing area consistent with surrounding area.

There is little vegetation on the gravel bar, and it will be allowed to revegetate as flow events permit. Sparse colonies of riparian vegetation (willow) do occupy areas of the bar and have not been disturbed by extraction activities. Natural regeneration of riparian vegetation and establishment of new colonies is determined by the magnitude of winter high-flow events. Revegetation of the access road and processing site will initially be for erosion control. Tree and shrub species from the surrounding area will be allowed to encroach onto the decommissioned roadway. Invasive species monitoring and eradication will continue for three years following final reclamation.

Drainage, Diversion Structures, Waterways, and Erosion Control

Objective – Reestablish natural waterway of Van Duzen River, protect river from fine sediment input due to extraction and processing activities.

Extraction activities will be completed before the site is inundated by winter high flows. Reclamation following each extraction season will remove depressions and other manmade features created by extraction activities. Neither the roads nor the processing site should require sediment controls due to hardened road surfaces, surrounding vegetation, and topography. Erosion control measures may be required following removal of the river-run stockpile located at the northwest edge of the processing area.

Prime Agricultural Land

Objective – No loss of prime agricultural land.

The gravel bar does not constitute prime agricultural land. The access road traverses land with designated prime agricultural soils. Decommissioning of the road will be done at the property owner's discretion. The processing site is comprised of prime agricultural land and will be reclaimed as such.

Other Agricultural Land

Objective – No loss of other agricultural land.

The gravel bar does not constitute other agricultural land. The access road traverses land designated prime agricultural land. Decommissioning of the road will be done at the property owner's discretion.

Building, Structure, and Equipment Removal

Objective – Remove all structures and equipment associated with the mining and reclamation operation.

There are no building or structures associated with the project. All equipment and associated materials used in the mining, processing, and reclamation activities will be removed from the site when reclamation is completed.

Stream Protection

Objective – Return stream to natural condition.

After extractions, the bar will be graded smooth, removing depressions. The characteristics of river hydraulics will allow for full replenishment of extracted areas and removal of temporary roadbeds.

Topsoil Salvage, Maintenance and Redistribution

Objective – Resoil extraction area and access road alignment to support revegetation and post-reclamation land use.

There is no topsoil on the gravel bar therefore, no topsoil placement need occur on the bar. The access road will be ripped to decompact the ground. Minimal to no topsoil will be placed on the alignment as no evidence of topsoil removal is visible. It is not expected that topsoiling will be necessary to complete finish grading at the processing, sorting, and stockpiling site as there is no evidence of depressions or other features that would require fill.

Tailings and Mine Waste Management

Objective – Mine waste and tailings will be disposed of or reclaimed.

There is no tailings or waste associated with the operation. Excavated material is transferred to the processing site where it is processed and utilized for road maintenance and repair projects resulting in no tailings or mine waste. A small amount of fine sediment residue associated with loadout operations may not be recoverable from the gravel bar. As winter storm events occur and the site becomes inundated, the material will be discharged downstream. Due to regulations that assure mining operations do not exceed the 35% E.F. elevations, the river will be in a highly turbid state prior to inundation of the mined area.

Closure of Surface Openings

Objective – Protect wildlife and the public from open wells, shafts, etc.

There will be no drill holes, water or monitoring wells, shafts, tunnels, or other surface openings to underground workings to be abandoned or closed, as this is a surface mining operation with no openings to underground workings. With approval from the participating regulatory agencies, water for dust suppression purposes may be sourced directly from the bar via a temporary sump excavated into the gravel bar. Once extraction activities have been completed, seasonal reclamation will include backfilling the sump to original grade.

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Van Duzen Watershed Project, May 2021, web address: fovd.org/htm/van_duzen_watershed_project/June_2010/htm/project_main_page.htm.

PERSONS CONSULTED:

Steve Cannata, Biologist. California Department of Fish & Game. August 27, 2007.

Jim Falls, Geologist. California Geological Survey. August 31, 2007.

Sal Chinnici, Forest Sciences Manager, Humboldt Redwood Company, May 2021

STATEMENT OF RESPONSIBILITY

I, the undersigned, hereby agree to accept full responsibility for reclamation of all mined lands as described and submitted herein and in conformance with the applicable requirements of Article 1 and 9 (commencing with Sections 3500 *et seq.* and 3700 *et seq.*, respectively) of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations, the Surface Mining and Reclamation Act of 1975, as amended (Section 2710 *et seq.* of the Public Resources Code), and with any modifications requested by the administering agency as conditions of approval.

Signed this 17 day of, May 20 21

MINE OPERATOR OR OPERATOR'S AGENT

(Printed Name) Robert Vogt

(Mailing Address) 1106 Second Street

Eureka, CA 95501

(Signature) _____

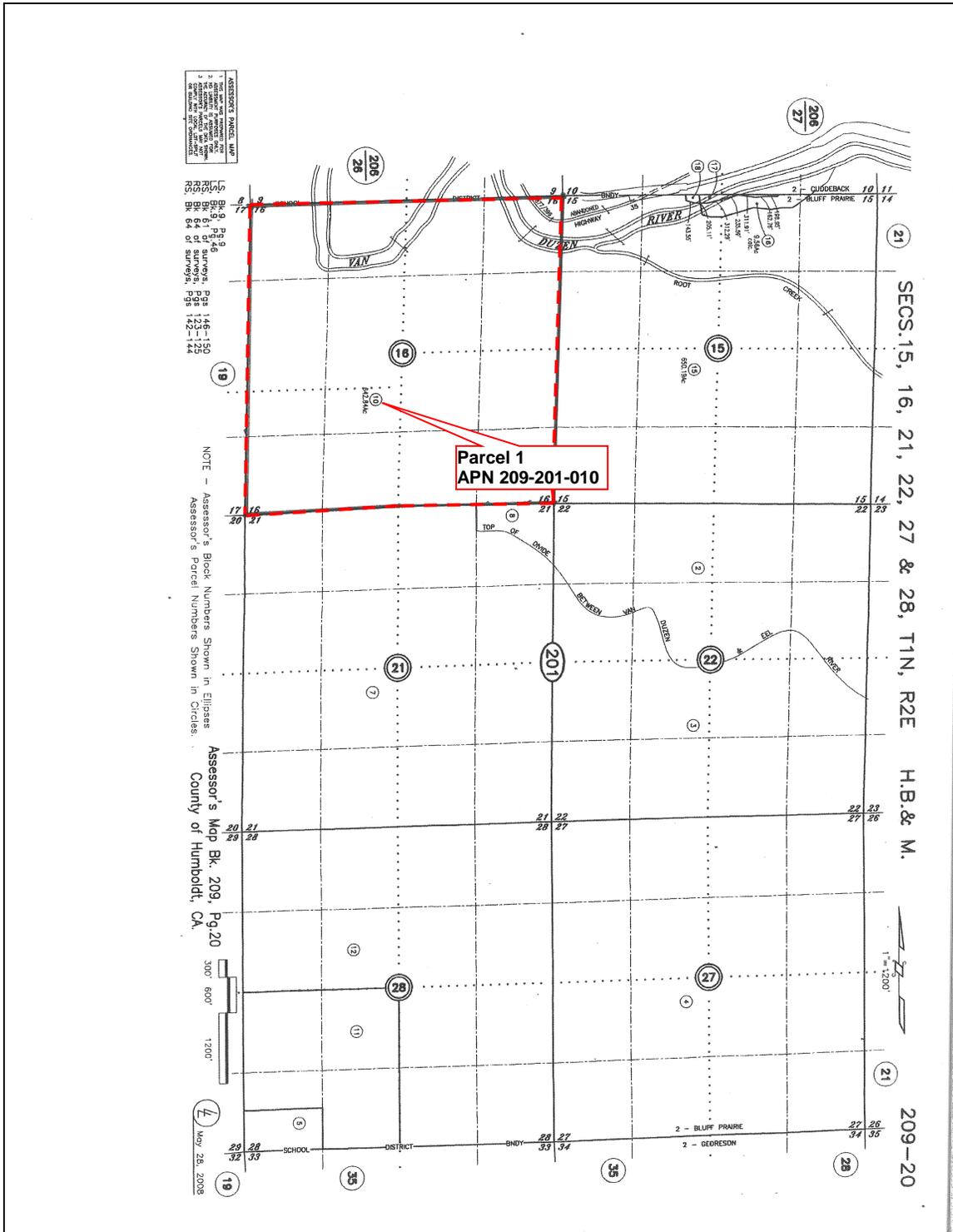
MINE NAME PL Van Duzen Bar

CA MINE ID # 91-12-0061

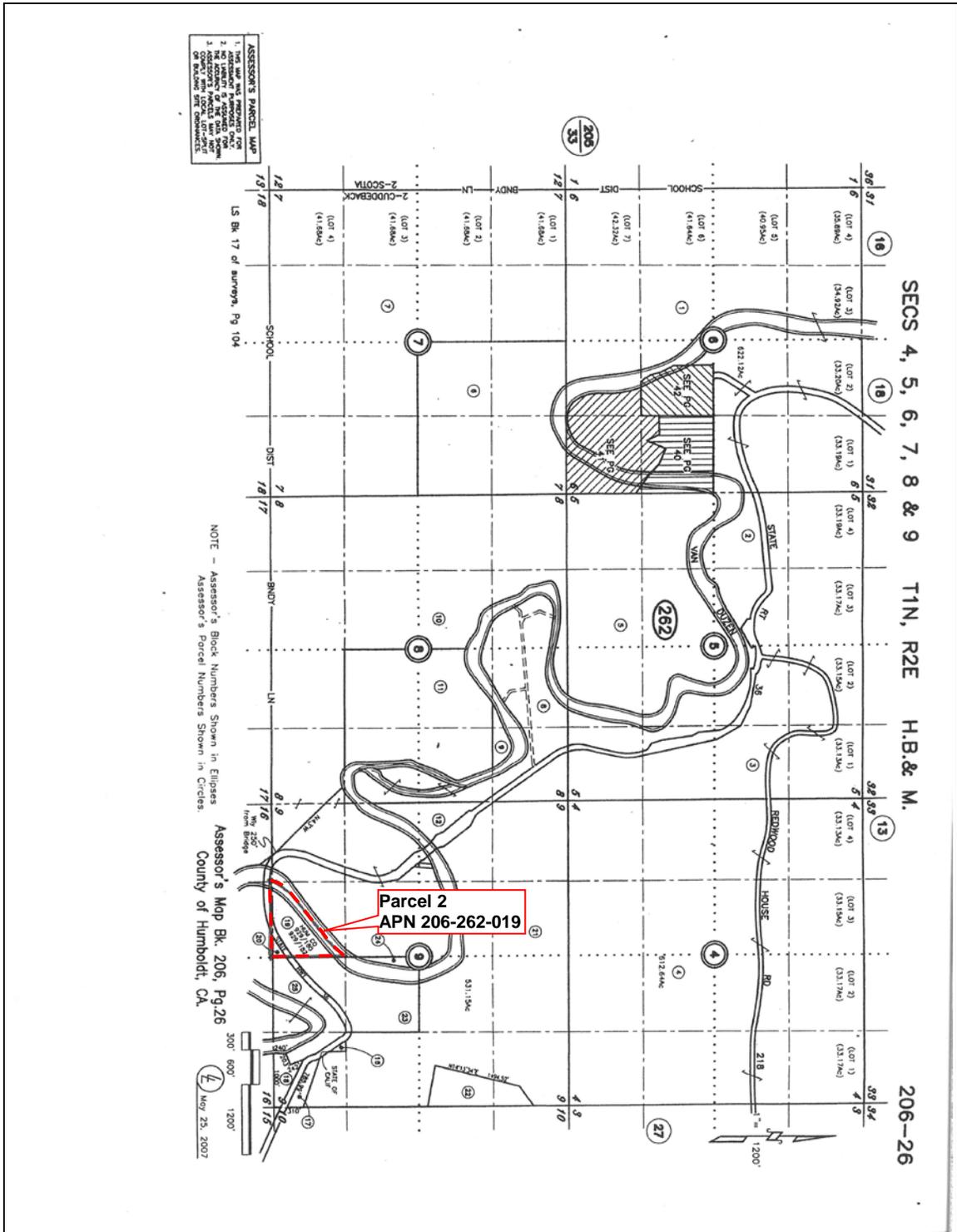
The original must be given to the lead agency and one copy to be forwarded by the lead agency to:

Department of Conservation
Office of Mine Reclamation
801 K Street, MS 09-06
Sacramento CA 95814-3529

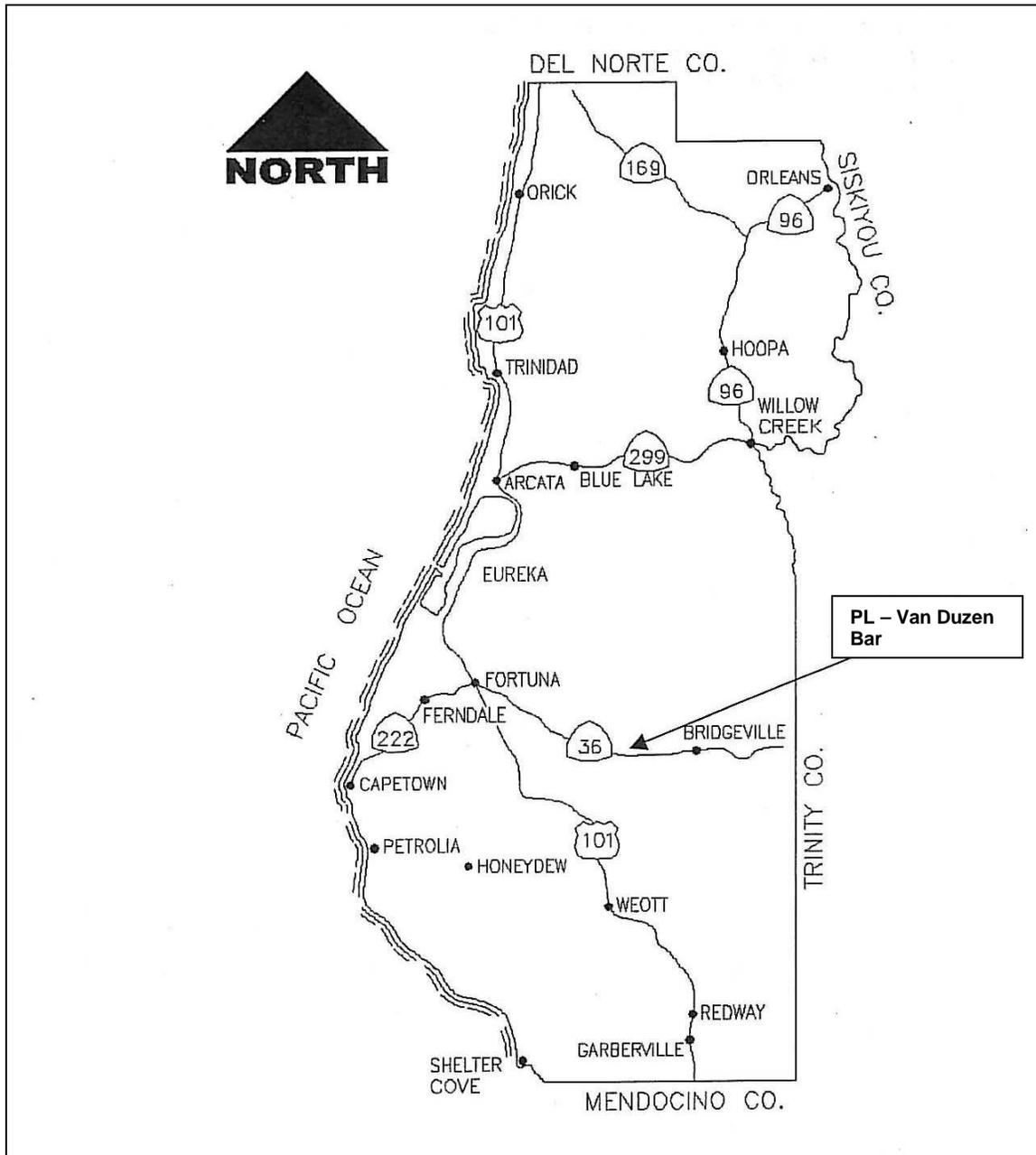
ATTACHMENT 1 – Assessors Parcel Maps (Parcel 1)



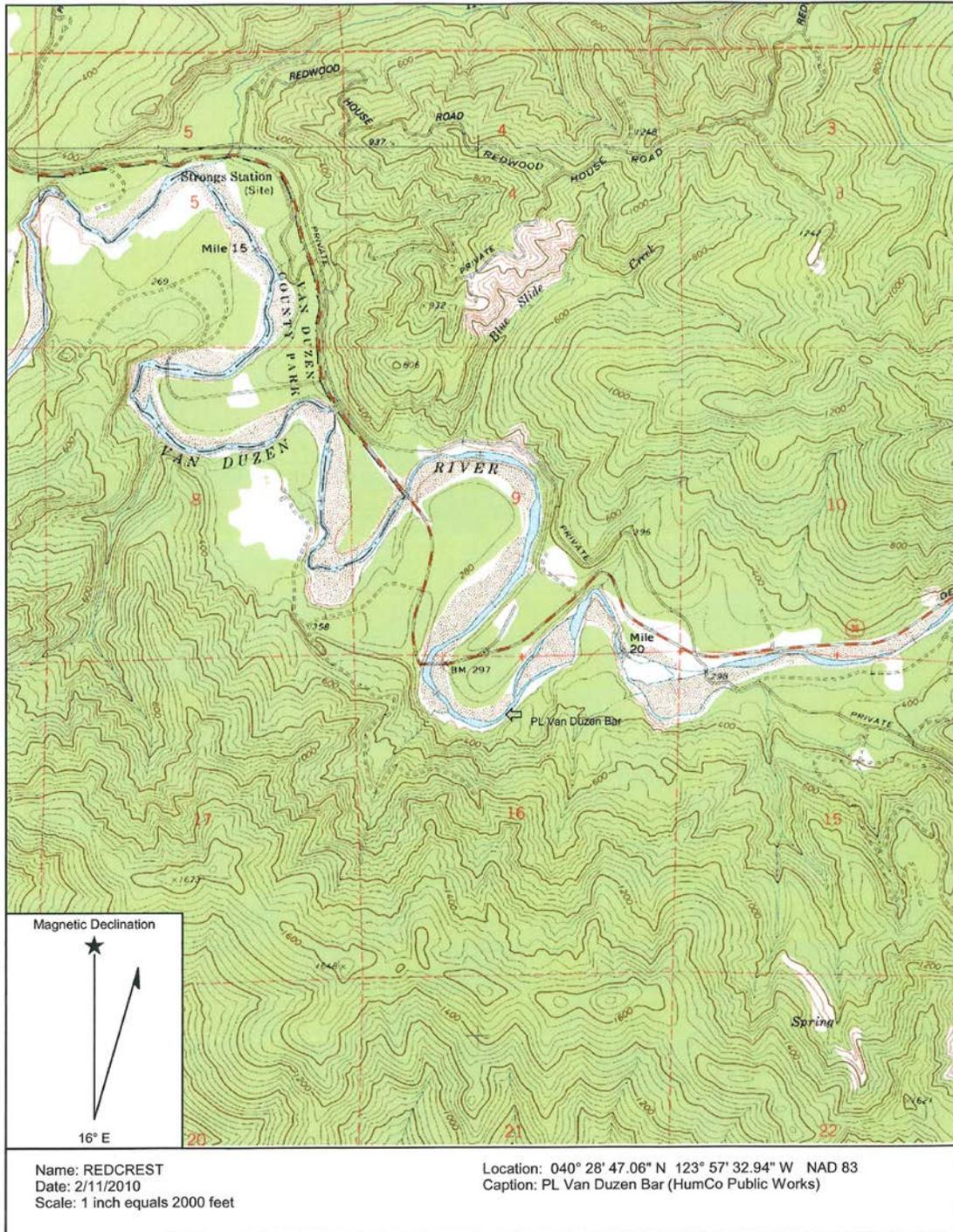
ATTACHMENT 1A – Assessors Parcel Maps (Parcel 2)



ATTACHMENT 2 – Location Map



ATTACHMENT 3 – Vicinity Map



ATTACHMENT 4 – Site Map





PLANNING APPLICATION FORM
Humboldt County Planning Department
 Current Planning Division 3015 H Street Eureka, CA 95501-4484
 Phone (707) 445-7541 Fax (707) 268-3792

INSTRUCTIONS:

1. Applicant/Agent complete Sections I, II and III below.
2. It is recommended that the Applicant/Agent schedule an Application Assistance meeting with the Assigned Planner. Meeting with the Assigned Planner will answer questions regarding application submittal requirements and help avoid processing delays. A small fee is required for this meeting.
3. Applicant/Agent needs to submit all items marked on the reverse side of this form.

SECTION I

APPLICANT (Project will be processed under Business name, if applicable.)

Business Name: Humboldt County Public Works
 Contact Person: Robert Vogt
 Mailing Address: 1106 2nd Street
 City, St, Zip: Eureka CA 95501
 Telephone: (707) 267-9545 Alt. Tel: _____
 Email: rvogt@co.humboldt.ca.us

AGENT (Communications from Department will be directed to agent)

Business Name: Humboldt County Public Works
 Contact Person: Robert Vogt
 Mailing Address: 1106 2nd Street
 City, St, Zip: Eureka CA 95501
 Telephone: (707) 267-9545 Alt. Tel: _____
 Email: rvogt@co.humboldt.ca.us

OWNER(S) OF RECORD (If different from applicant)

Owner's Name: HUMBOLDT REDWOOD CO. LLC
 Mailing Address: PO BOX 712 125 MAIN ST
 City, St, Zip: Scotia CA 95503
 Telephone: 707-764-4253 Alt. Tel: _____

Owner's Name: _____
 Mailing Address: _____
 City, St, Zip: _____
 Telephone: _____ Alt. Tel: _____

LOCATION OF PROJECT

Site Address: Highway 36
 Community Area: Carlotta

Assessor's Parcel No(s): 209-201-010; 206-262-019
 Parcel Size (acres or sq. ft.): 660 acres; 19.5 acres

Is the proposed building or structure designed to be used for designing, producing, launching, maintaining, or storing nuclear weapons or the components of nuclear weapons? YES NO

SECTION II

PROJECT DESCRIPTION

Describe the proposed project (attach additional sheets as necessary):

Renewal/extension of Conditional Use Permit and Surface Mining Permit (CUP-37-86X; SMR-03-86X) and approval of Reclamation Plan and Financial Assurance Cost Estimate for an existing Humboldt County Public Works in-stream mining operation on the Van Duzen River. The operation has been operated and permitted since 1986 and is known as the PL-Van Duzen Bar. It is located on Highway 36 approximately two miles east of the intersection of Highway 36 and Redwood House Road. The most recent extraction took place in 2019. No changes are being proposed, for this permit renewal or Reclamation Plan approval, from the most recent renewal and approval process completed in 2010. Most significantly, this includes no changes to the area permitted for gravel extraction or processing, no changes to the access roads, no changes to the processing site, no changes to method of extraction, no changes to start or end dates or times of operations, and no changes to volumes extracted.

SECTION III

OWNER'S AUTHORIZATION & ACKNOWLEDGEMENT

I hereby authorize the County of Humboldt to process this application for a development permit and further authorize the County of Humboldt and employees of the California Department of Fish and Wildlife to enter upon the property described above as reasonably necessary to evaluate the project. I also acknowledge that processing of applications that are **not** complete or do not contain truthful and accurate information will be delayed and may result in denial or revocation of approvals.

[Signature]
 Applicant Signature

5/13/21
 Date

If the applicant is not the owner of record: I authorize the applicant/agent to file this application for a development permit and to represent me in all matters concerning the application.

[Signature]
 Owner of Record Signature

5/21/21
 Date

 Owner of Record Signature

 Date

NOTICE OF COMPLETION OF INSPECTION

Date of Notice: ___ / ___ /20 ___

To: California Department of Conservation Division of Mine Reclamation Attention: Reporting Unit 801 K Street, MS 09-06 Sacramento, California 95814	From: _____ (Lead Agency Name) _____ (Lead Agency Contact Name) _____ (Lead Agency Address) _____ (Lead Agency City, State, Zip Code)
--	--

Mine Name: _____	CA Mine ID Number: 91-
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This submittal serves as the Lead Agency notice of completion of the annual inspection to the Division of Mine Reclamation (DMR) as required by the Surface Mining and Reclamation Act of 1975 (SMARA), specifically Public Resources Code (PRC) section 2774(b)(1), for the above referenced surface mining operation. A completed copy of the Surface Mine Inspection Report, form MRRC-1 and any other reports or documents prepared in support of this inspection are attached.

(I) Date the annual inspection was conducted: ___ / ___ /20 ___

(II) Upon completion of the annual inspection, were aspects of this surface mining operation found by the Lead Agency to be inconsistent with SMARA, including the approved reclamation plan? <input type="checkbox"/> No. Please check "Not Applicable" for box (IV), (V) and (VI), and complete remainder of form. <input type="checkbox"/> Yes. Please complete box (IV), (V) and (VI), as appropriate, and complete remainder of form.
--

(III) The following aspects of this surface mining operation were found by the Lead Agency to be inconsistent with the SMARA, including the approved reclamation plan and <u>were</u> corrected before submission of the Inspection Report to the Division of Mine Reclamation: <input type="checkbox"/> Not Applicable
--

(IV) The following aspects of this surface mining operation were found by the Lead Agency to be inconsistent with SMARA, including the approved reclamation plan and were not corrected before submission of the Inspection Report to the Division of Mine Reclamation:

*(Box (V) **must** be completed if aspects remain that were not corrected prior to submission of the Inspection Report.)*

Not Applicable

(V) Upon completion of the annual inspection, the Lead Agency has determined this surface mining operation to be:

- Compliant** with SMARA, including the approved reclamation plan.
- Not Compliant** with SMARA, including the approved reclamation plan.
- Not Applicable

(VI) The following statement describes the Lead Agency's intended response to any aspects of this surface mining operation found to be inconsistent with SMARA, including the approved reclamation plan, but were not corrected before submission of the Inspection Report to the Division of Mine Reclamation. This includes whether a Notice of Violation or Order to Comply has been issued or will be issued or whether other enforcement actions under the lead agency's local mining ordinances has or will be initiated:

*(Box (VI) **must** be completed if aspects remain that were not corrected prior to submission of the Inspection Report.)*

Not Applicable

(VII) The following statement describes whether the surface mining operation is out of compliance with an order to comply or stipulated order to comply issued by the lead agency.

Not Applicable

(VIII) Has a financial assurance cost estimate required under PRC section 2773.4(d) been provided by the operator? If not, please explain.
 Yes **No**

(IX) Does this surface mining operation have a review of its reclamation plan, plan amendment, financial assurances, or interim management plan pending before the Lead Agency under PRC section 2770(b) or (h)?
 Yes **No**

(X) Does this surface mining operation have an appeal of its reclamation plan, plan amendment, financial assurances, or interim management plan pending before the State Mining and Geology Board or the lead agency governing body under PRC section 2770(e) or (h)?
 Yes **No**

(XI) Lead Agency Representative Signature:

Signature: _____

Name: _____
(please print)

Title: _____

(XII) cc: _____
(Surface Mine Operator)

 cc: _____
(Federal Entity, if required)

- Attachments:**
- Surface Mine Inspection Report, form MRRC-1
 - Other reports or documents, if any.

Date Inspection Conducted:	CA Mine ID Number: 91-
----------------------------	---------------------------

SURFACE MINING INSPECTION REPORT

I. Mine Name:

II. Mine Operator:		
Mailing Address:		
City:	State:	ZIP Code:
Name of Onsite Contact Person:	Email Address:	Telephone:

III. SMARA Lead Agency Name:		
Inspector's Name:		
Name of Entity or Organization:		
Inspector's Mailing Address:		
City:	State:	ZIP Code:
E-mail Address:	Telephone:	

IV. Approved Documents	
Permit Number: <input type="checkbox"/> Not Applicable	Expiration Date, if Applicable:
Vested Right: <input type="checkbox"/> Not Applicable	Date of Lead Agency Determination:
Reclamation Plan Number:	Date Approved:
Interim Management Plan: <input type="checkbox"/> Not Applicable <input type="checkbox"/> Initial <input type="checkbox"/> 1 st Renewal <input type="checkbox"/> 2 nd Renewal	Date Approved:

V. Is this operation located partly or solely on Federal land?	Check One: <input type="checkbox"/> Yes <input type="checkbox"/> No
Are there any Federal authorizations associated with this operation? If yes, explain:	Check One: <input type="checkbox"/> Yes <input type="checkbox"/> No
Inspecting Agency Code(s):	Reason for Inspection:
Land Use Designation/Zoning for Surface Mine Operation:	

Date Inspection Conducted:	CA Mine ID Number: 91-
----------------------------	---------------------------

SURFACE MINING INSPECTION REPORT

VI. Financial Assurances	
A. Information on Financial Assurance Cost Estimate	
Date and Amount of Most Recently Approved Financial Assurance Cost Estimate	
Date:	Amount: \$
<input type="checkbox"/> Other Information?	Explanation:

B. Information on Financial Assurance Mechanism(s)				
Type of Financial Assurance Mechanism(s):	Financial Assurance Mechanism Number(s):	Amount of Mechanism:	Date of Expiration:	Date of Approval by the Lead Agency:
Total Amount of Mechanism(s):				
Has there been a change of operator since the last inspection? If yes, provide the date of notice.			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date of Change:				

VII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VII.		
[Use separate sheet(s) where necessary. Refer to item numbers below]		
Potential Reclamation Plan Requirements	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note current site observations. Describe site conditions and aspects of the operation that are or may be inconsistent with the reclamation plan or SMARA. (Note additional comments on Section VIII as necessary)
A) General Information		
1) Approved mineral type(s)		
2) Approved production amount (Annual/Gross)		
3) Termination date of operations		
4) Permit end date		

SURFACE MINING INSPECTION REPORT

VII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VII. [Use separate sheet(s) where necessary. Refer to item numbers below]		
Potential Reclamation Plan Requirements	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note current site observations. Describe site conditions and aspects of the operation that are or may be inconsistent with the reclamation plan or SMARA. (Note additional comments on Section VIII as necessary)
5) Anticipated/approved use of mined lands after reclamation		
6) Description of pre-SMARA disturbances, if any		
B) Boundaries		
1) Property boundary		
2) Permit boundary		
3) Reclamation plan boundary (RPB)		
4) Setbacks		
C) Slopes – Grading		
1) Fill Slopes –		
i. Slopes – Active (max/current)		
ii. Slopes – Reclaimed		
iii. Compaction		
2) Cut Slopes –		
i. Slopes – Active (max/current)		
ii. Slopes – Reclaimed		
D) Erosion Control		
1) Best management practices (BMPs)		
2) Grading		
3) Vegetation		
E) Ponds		
1) Design – Function		
2) Capacity (area/depth/volume)		
3) Maintenance		
F) Stream & Wetland Protection		
1) Buffers (distance to channel)		
2) Berms (distance/length/height)		
3) BMPs		
4) Drainage		

SURFACE MINING INSPECTION REPORT

VII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VII. [Use separate sheet(s) where necessary. Refer to item numbers below]		
Potential Reclamation Plan Requirements	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note current site observations. Describe site conditions and aspects of the operation that are or may be inconsistent with the reclamation plan or SMARA. (Note additional comments on Section VIII as necessary)
5) Grading and slopes		
6) Stockpiles		
7) Stream diversions		
G) Sensitive Wildlife & Plant Protection		
1) List species		
2) Protection measures		
H) Soil/Overburden Stockpile Management		
1) Topsoil		
i. Location		
ii. Slope stability		
iii. BMPs		
2) Overburden		
i. Location		
ii. Slope stability		
iii. BMPs		
3) Topsoil Application		
i. Amendments		
ii. Depth		
iii. Moisture		
iv. Application methods		
I) Revegetation		
1) Test plots		
2) Species mix		
3) Density		
4) Percent cover		
5) Species richness		
6) Protection		
7) Success monitoring		
8) Invasive species control		
J) Structures		
K) Equipment		

Date Inspection Conducted:	CA Mine ID Number: 91-
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F. Describe the fee category reported in the most recent Annual Report and its consistency with the conditions observed during the inspection.
G. Describe any limitations encountered during the inspection:
H. Describe conditions or aspects of the operation that are or may be inconsistent with the approved reclamation plan or SMARA:
I. Do any of those conditions or aspects require further evaluation? <input type="checkbox"/> No <input type="checkbox"/> Yes, describe (For example, further evaluation or analysis may be required by a state-licensed professional or specialist):
J. Was a Notice of Violation issued for any of the above? <input type="checkbox"/> No, describe: <input type="checkbox"/> Yes, describe:
K. Describe remedial activities for any pre-existing or existing enforcement actions:
L. Duration of Inspection: Start Time: _____ Finish Time: _____
M. Weather Code(s):
N. Status of Mine Code(s):
O. Inspection Attendees and Affiliations

IX. Inspector's "Certificate of Completion of Inspection Workshop" Number:	Inspectors Signature:	If the inspector is a State-licensed person or a contractor for the lead agency, provide license type and number:
Certification Expiration Date:	Date Signed:	

Attachment 3

Referral Agency Comments and Recommendation

All referral agencies that the proposed project was sent to for review and comment are listed below. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Attached	On File
County of Humboldt Extraction Review Team (CHERT)		None		
Caltrans District 1	✓	Conditional Approval	Attached	
Corps of Engineers		None		
California Department of Fish and Game		None		
Regional Water Quality Control Board		None		
Bear River Band		None		

California Department of Transportation

DISTRICT I
 P.O. BOX 3700 | EUREKA, CA 95502-3700
 (707) 445-6600 | FAX (707) 441-6314 TTY 711
www.dot.ca.gov



August 9, 2021

1-HUM-36- 13.32
 PLN-2021-17243
 APN: 209-201-010, -019



Mr. Trevor Estlow
 Planning & Building Department
 County of Humboldt
 3015 H Street
 Eureka, CA 95501

Dear Mr. Estlow:

Thank you for the opportunity to comment on the proposed 15-year renewal of the Conditional Use Permit and Surface Mining Permit and approval of the Reclamation Plan and Financial Assurance Cost Estimate for the existing Humboldt County Public Works in-stream mining operation for the Van Duzen Bar on the Van Duzen River. State Route (SR) 36 separates the gravel extraction area from the processing, sorting and stockpiling areas of the project, roughly located at post miles 13.51 and 13.58. We have the following comments:

State highway bridges are regularly inspected to ensure that they receive prompt maintenance. The 2020 bridge inspection report for the Bernie Hemenway Memorial Bridge (4-94) noted local scour holes present at two of the piers which have exposed the piles. To safeguard the substructure and prevent further degradation of the stream bed, we request that the County impose a mandatory setback of 500 feet from the bridge for all gravel extraction work, both upstream and downstream. To further protect the structural integrity of the bridge, any proposed construction activity or access within State right-of-way will require a formal encroachment permit review.

The site plan for the mining operation shows two offset driveways onto SR 36 serving the project. We request that the following items be made conditions of the project's approval:

- The corner sight distance at both driveway intersection needs to be improved to meet current State standards.
- Temporary traffic control signs need to be deployed to warn approaching motorist during gravel hauling operations and removed during off-hours.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Mr. Trevor Estlow
8/9/21
Page 2

- The driveway pavement condition will need to be maintained in a state of good repair.

Any work within Caltrans right of way will require an encroachment permit from Caltrans. To streamline the process, we require the applicant arrange and participate in a pre-submittal meeting with the Caltrans encroachment permits staff in Eureka, prior to submitting a permit application. For more information or to request an encroachment permit, please contact the Eureka permits office at (707) 445-6385, and refer to this website: <<https://dot.ca.gov/programs/traffic-operations/ep>>.

Please contact me with questions or for further assistance with the comments provided at (707) 684-6879 or by email at <jesse.robertson@dot.ca.gov>.

Sincerely,

Jesse Robertson

Jesse Robertson
Transportation Planning
Caltrans District 1

c: Heidi Quintrell, Chief, Caltrans District 1 Encroachment Permits (e-copy)

ATTACHMENT 4
Prior Renewal Staff Report
(Attached Separately)