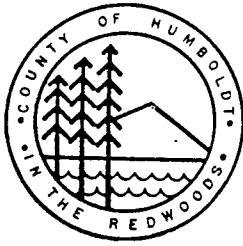


Appendix L

NOP



PLANNING DIVISION
OF THE PLANNING AND BUILDING DEPARTMENT
COUNTY OF HUMBOLDT
3015 H STREET
EUREKA, CALIF. 95501-4484 PHONE (707) 445-7541

NOTICE OF PREPARATION

TO: _____
FROM: Sidnie L. Olson
Senior Planner
Planning Department
3015 H Street
Eureka, CA 95501

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

The Humboldt County Planning Department will be the Lead Agency and will prepare an Environmental Impact Report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Environmental Impact Report prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the probable environmental effects are contained in the attached materials. A copy of the Initial Study is not attached.

Due to time limits mandated by State Law, your responses must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to Sidnie L. Olson at the address shown above. We will need the name of a contact person in your agency.

PROJECT TITLE: THE SURFACE MINING OF SAND AND GRAVEL ON THE MAD RIVER.

PROJECT DESCRIPTION: The annual extraction of up to 510,000 cubic yards of sand and gravel from the Mad River from the old Swasey Dam site downstream to the Railroad Bridge, which is downstream of the Highway 101 Bridge. Attachment 1 illustrates the existing and proposed surface mining sites (See Table 1) in the study area.

The sand and gravel is generally removed by skimming off the gravel bars at a grade between 2% and 3% upward from the live channel. In addition, gravel may be removed by trenching or pitting techniques. Gravel may be stockpiled up on the river bank, out of the 25-year flood plain. Gravel processing facilities including jaw crushers and conveyor belts may be located near the gravel stockpiles.

Summer bridges may be placed or constructed over the live channel to provide access for gravel removal equipment. Gravel is removed from various river bars and stockpiled generally between June 1st and October 1st of each year. Gravel is retrieved from stockpiles, crushed, sorted, and processed year round.

A Memorandum of Agreement, Attachment 2, is in place for the extraction season of 1992. Techniques to be employed in the 1992 extraction season have been determined by a scientific team of 4 individuals with the concurrence of the California Department of Fish & Game. The Scientific Studies are included herein as Attachment 3.

PROBABLE ENVIRONMENTAL EFFECTS: The EIR will analyze potential impacts and cumulative effects of sand and gravel mining on:

- Water quality and biological productivity of the river channel;
- Fish spawning, rearing habitat and maintenance of an adequate fish passage;
- Sport fishing in the area;
- Riparian vegetation from lowered water surface elevations;
- Wildlife;
- River morphology;
- Noise from the extraction and processing operations, and along access and haul routes;
- Public access and passive recreation;
- River view aesthetics;
- Flood hazards;
- Traffic circulation;
- Sediment size distribution;
- Degradation of the Mad River at the Mad River Hatchery weir;
- Recruitment potential;
- Degradation of the streambed near or so as to affect adversely the Highway 101, Highway 299, Railroad and Blue Lake Boulevard bridges;
- Streambed degradation and water surface elevation at the Humboldt Bay Municipal Water District's Ranney well collector and direct river diversion.

TABLE 1 - OPERATIONS INCLUDED IN EIR


Operations with Required County approvals:

Operator	Location (Attachment 1)	Maximum Annual Extraction Amount
Mad River Sand & Gravel	Site No. 1	200,000 c.y. Use Permit
Redwood Empire Aggregates	Site No. 2 Emmerson Bar	50,000 c.y. Vested
Redwood Empire Aggregates	Site No. 3 Blue Lake Bar	50,000 c.y. Vested
Eureka Sand and Gravel	Site No. 4 Christie Bar	50,000 c.y. Use Permit
Mercer Fraser, Co.	Site No. 6 Essex Bar	40,000 c.y. Vested
Arcata Read-Mix	Site No. 7	80,000 c.y. Vested

Operations with approved reclamation plans and with vested right claim pending:

Operator	Location (Attachment 1)	Proposed Maximum Annual Extraction Amount
Redwood Empire Aggregates	Site No. 5 Johnson Bar	30,000 c.y. Vested Right Claim
Redwood Empire Aggregates	Site No. 8 Graham Bar	10,000 c.y. Vested Right Claim

Date: August 11, 1992


 Sidnie L. Olson
 Senior Planner

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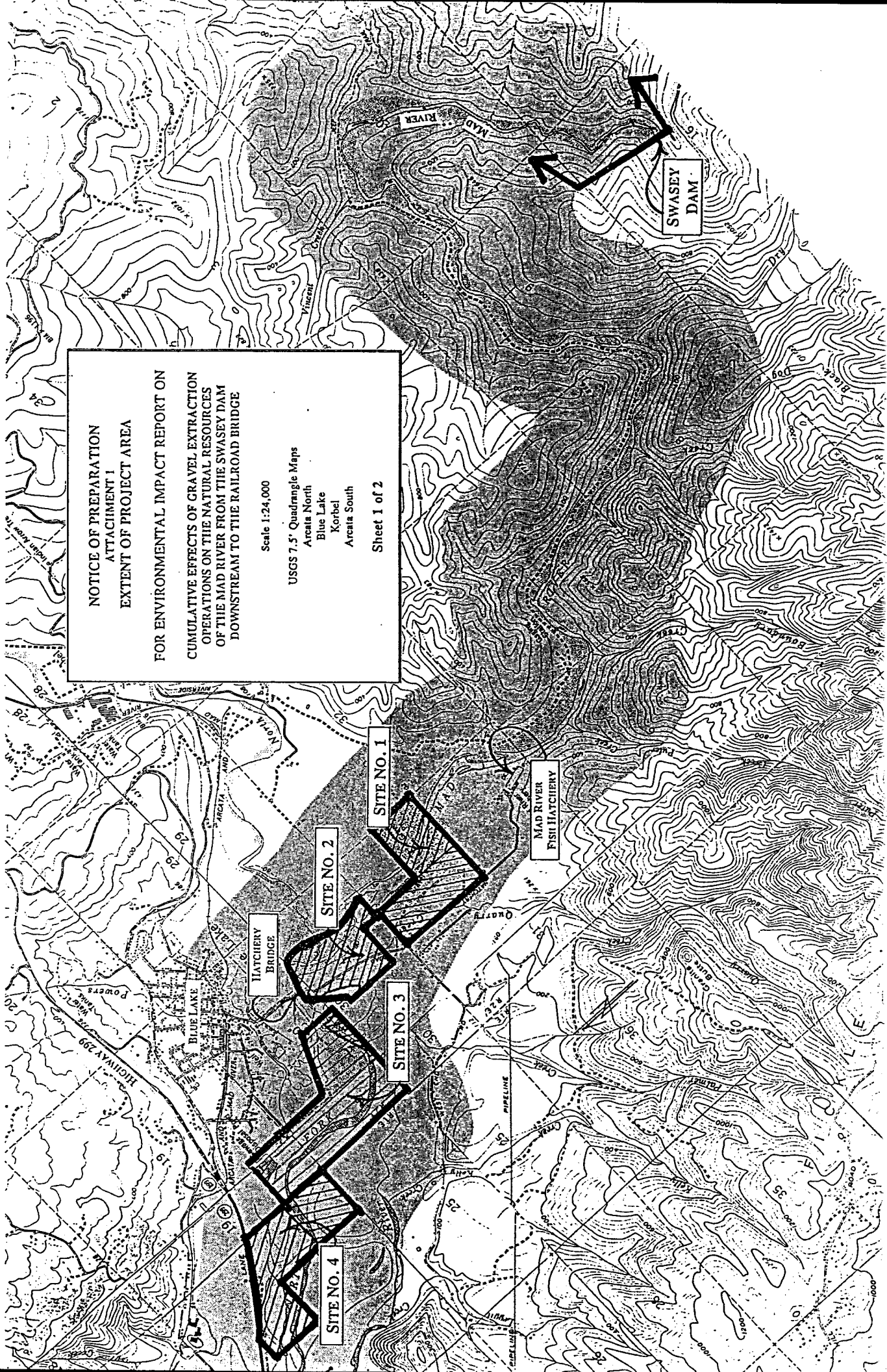
NOTICE OF PREPARATION
ATTACHMENT I
EXTENT OF PROJECT AREA

FOR ENVIRONMENTAL IMPACT REPORT ON
CUMULATIVE EFFECTS OF GRAVEL EXTRACTION
OPERATIONS ON THE NATURAL RESOURCES
OF THE MAD RIVER FROM THE SWASEY DAM
DOWNSTREAM TO THE RAILROAD BRIDGE

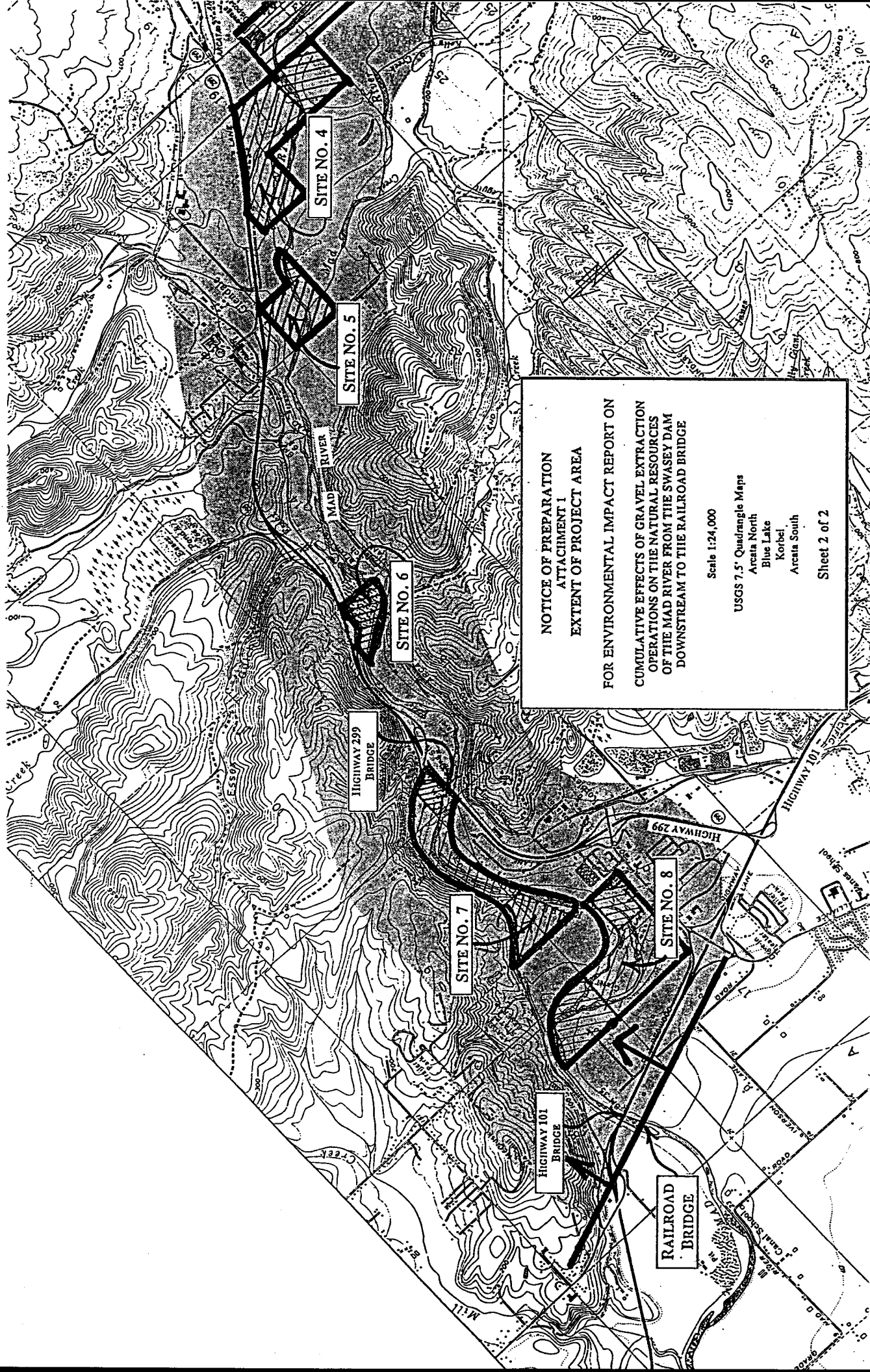
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USGS 7.5' Quadrangle Maps
Arcata North
Blue Lake
Korbel
Arcata South

Sheet 1 of 2



REDUCED (65%)



NOTICE OF PREPARATION
ATTACHMENT I
EXTENT OF PROJECT AREA

FOR ENVIRONMENTAL IMPACT REPORT ON
CUMULATIVE EFFECTS OF GRAVEL EXTRACTION
OPERATIONS ON THE NATURAL RESOURCES
OF THE MAD RIVER FROM THE SWASEY DAM
DOWNSTREAM TO THE RAILROAD BRIDGE

Scale 1:24,000
USGS 7.5' Quadrangle Maps
Arcata North
Blue Lake
Korbel
Arcata South

Sheet 2 of 2

Notice of Preparation
Attachment 2
Memorandum of Agreement

MEMORANDUM OF AGREEMENT

concerning

GRAVEL EXTRACTION OPERATIONS ON THE MAD RIVER

IN HUMBOLDT COUNTY
DURING 1992

I. PURPOSES AND INTENTION OF MOA

Whereas, the Mad River ecosystem located within Humboldt County contains valuable high quality natural resources, including but not limited to spawning and rearing habitat for anadromous fish that supports a commercial and recreational fishery, gravel resources used for local construction activities, and riparian and wetland habitat supporting wildlife, all of which contribute to the local economy and quality of life.

Whereas, the undersigned parties recognize the need for a full evaluation of the short-term and the long-term environmental effects of various activities, including the cumulative impacts of gravel extraction operations, on the natural resources of the Mad River, and also recognize the need to obtain gravel for use within the County during 1992;

Whereas, gravel extraction operations must comply with all applicable permit and approval requirements of state and local agencies, and state and local agencies must comply with the applicable provisions of the California Environmental Quality Act;

Whereas, although in areas which are not subject to tidal influences the State holds fee title in trust for the public to rivers and streams below their ordinary low watermarks and holds an easement termed the public trust easement over the areas between the ordinary high and ordinary low watermarks of rivers and streams, the precise location of the low water and high water boundaries on the Mad River has not been determined as of the date of this agreement;

Whereas, in order for gravel extraction from the Mad River which will not result in significant adverse environmental effects to proceed in 1992, pending a full evaluation of the cumulative, longterm impacts of existing and proposed activities on the natural resources of the Mad River, it is necessary and appropriate to develop special operating conditions and to coordinate state and local agency proceedings concerning gravel extraction operations in 1992;

Whereas, the undersigned parties desire to expedite and to work cooperatively in assessing environmental impacts, both from individual projects and cumulatively, and in processing applications for approval related to gravel extraction operations on the Mad River;

Whereas, the undersigned parties desire also to avoid and to reduce duplication and potential conflict in the processing by state and local agencies of applications for gravel extraction operations and reclamation plans on the Mad River;

Whereas, the undersigned parties do not by this agreement waive or intend to waive, nor shall this agreement be construed to waive, any rights, claims, or statutory responsibilities of any of the parties hereto.

BASED UPON AND FOR THE REASONS SET FORTH ABOVE, THE UNDERSIGNED PARTIES AGREE AS FOLLOWS:

II. SCOPE AND APPLICABILITY OF THIS MOA

A. AGENCY ROLES AND RESPONSIBILITIES

Humboldt County (hereinafter "County") is the lead agency for purposes of compliance with the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.) in adopting a general plan and ordinances and in issuing conditional use permits (CUPS) and other county permits, entitlements, or approvals for gravel extraction operations; and is the lead agency for purposes of the Surface Mining and Reclamation Act (SMARA), as certified by the Mining and Geology Board.

The Resources Agency (hereinafter "Agency") provides state agency coordination for activities which may affect the free-flowing and natural character of the state's designated wild and scenic rivers, adopts the state CEQA Guidelines and coordinates various inter-Department issues.

The Mining and Geology Board (hereinafter "Board") and the Department of Conservation are the state agencies with responsibility for implementing SMARA (Public Resources Code Section 2710 et seq.). Pursuant to SMARA the Board establishes standards for reclamation plans, has certified the County's ordinance governing reclamation of mining sites, and exercises continuing review authority with regard to lead agency compliance with SMARA. Pursuant to SMARA and CEQA the Department of Conservation (hereinafter "DOC") reviews and submits comments on proposed reclamation plans for gravel extraction operations, monitors compliance with approved reclamation plans, and monitors lead agency implementation of SMARA.

The Department of Fish and Game (hereinafter "DFG"), as the state trustee agency for fish and wildlife (Fish and Game Code Sections 711.7 and 1802) and pursuant to CEQA, reviews and submits comments on projects which may affect fish and wildlife resources, reviews projects which may adversely affect the free-flowing and natural character of designated wild and scenic rivers, enters into agreements pursuant to Fish and Game Code Section 1600 et seq., and is responsible for administering Section 1505 of the Fish and Game Code.

The State Lands Commission (hereinafter "Commission") administers lands and resources owned by the state and public trust easements overlying such lands and resources, submits comments pursuant to CEQA on projects which may affect state lands or public trust easements, and collects royalties for the removal of mineral resources from state fee-owned lands.

B. GRAVEL EXTRACTION OPERATIONS

This agreement shall apply to all surface mining operations (hereinafter "Operators") which are in the bed or within one-half (1/2) mile from the center line of the Mad River; which receive or have received county authorization applicable to 1992 extraction operations; and which have signed this agreement. These operators may include, but are not limited to, the following companies: Eureka Sand and Gravel, Mad River Sand and Gravel, and Redwood Empire Aggregates.

C. OTHER AGENCY PARTICIPATION

The public agencies below are agencies interested in, and possess subject matter expertise related to, and may submit comments pursuant to CEQA on the gravel extraction operations which are the subject of this agreement.

(1) The California Department of Transportation (Caltrans) submits comments pursuant to CEQA and SMARA (Public Resources Code Section 2770.5) on projects which may affect Caltrans facilities, including bridges crossing the Mad River.

(2) The North Coast Regional Water Quality Control Board submits comments as an interested or responsible agency on projects subject to CEQA which may affect water quality, and assists in developing monitoring plans to meet water quality objectives adopted pursuant to the Porter-Cologne Water Quality Control Act (Water Code Section 13000 et seq.).

(3) The Humboldt Bay Municipal Water District operates wells and provides water supplies which draw on the Mad River and its underlying aquifers, and submits comments as an interested agency on proposed projects subject to CEQA which may affect the volume or the quality of its water supplies.

(4) The federal agencies which may comment and provide information concerning the impacts of proposed gravel extraction operations include the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service.

IV. SHORT TERM OPERATIONS

The parties agree that the following provisions shall apply to all gravel extraction activity which occurs on the Mad River in 1992. These provisions are intended and understood to apply as conditions to gravel extraction in 1992, pending the completion of the environmental impact report described below in Section V which is to address the cumulative effects of gravel extraction operations on the Mad River.

A. On behalf of the undersigned parties, a Technical Committee, comprised of the persons listed on Attachment 1, is established and has provided direction, as set forth in a letter dated June 12, 1992, which is incorporated herein as Attachment 2, to the Scientific Committee which is established pursuant to paragraph IV. B. below.

B. A Scientific Committee is established for the purposes of conducting a review of the current condition of natural resources of the Mad River and providing recommendations to public agencies concerning the volumes, methodologies and sites of potential, environmentally safe gravel extraction operations, if any, for 1992 on the Mad River. The Scientific Committee consists of the following four members:

Douglas Jager, CSU at Humboldt

William Trush, River Institute

Andre Lehre, Pacific Southwest Range and
Experiment Station

Randall Klein, National Park Service, Redwood
National Park

(1) Each member of the Scientific Committee shall disclose for the period from January 1, 1990 through the present, all economic interests in and income from (including income of more than \$250 from any single source) any business or activity which is related in any way to gravel extraction operations in Northern California. Disclosure shall be accomplished by filing a statement of economic interest at the Office of the County Clerk, Humboldt County, and at the Office of the Secretary for Resources in Sacramento, as soon as possible after the effective date of this agreement.