Notice of Exemption

From: Humboldt Bay Harbor, Recreation, and Conservation District
601 Startare Drive
Eureka, CA 95501

Project Title:
Salmon Creek Anadromous Salmonid Access, Tide Water Habitat Enhancement, and Flood Control Maintenance Projects

Project Location – City:
Beatrice

Project Location-County:
Humboldt

Description of Nature, Purpose, and Beneficiaries of Project:
The *Salmon Creek Anadromous Salmonid Access, Tide Water Habitat Enhancement, and Flood Control Maintenance Projects* are being proposed by the U.S. Fish and Wildlife Service's Humboldt Bay National Wildlife Refuge pursuant to their 1992 Habitat Resturation and Enhancement Plan. The proposed actions entail 1) replacing three existing tide gates, 2) constructing one new tide gate, 3) performing channel maintenance (dredging) that has been deferred at three locations, and 4) disposing of dredged materials and salvaged concrete on an existing refuge levee and dikes. The proposed project will assist in the recovery of State and Federally protected fish species (Coho and Chinook salmon, Steelhead, and possibly Tidewater Goby) by improving access between Humboldt Bay and Salmon Creek, enhancing and expanding estuarine and salt marsh habitats on Salmon Creek, and reducing flooding of private and public lands. The beneficiaries of implementing these projects would first be these state and federally protected fish species, wildlife, private property owners experiencing flooding, and the public who use and enjoy the fisheries and wildlife of Humboldt Bay.

Name of Public Agency Approving Project:
Humboldt Bay Harbor, Recreation, and Conservation District

Name of Person or Agency Carrying out Project:
U.S. Fish and Wildlife Service's Humboldt Bay National Wildlife Refuge,
Refuge Manager Eric Nelson

Exempt Status:

Categorical Exemption.

Class 33, *Small Habitat Restoration Projects* that do not exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife provided that there would be no significant adverse impact on endangered, rare or threatened species of their habitat pursuant to section 15065, and that the project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. One example provided of a small restoration project is wetland restoration, the primary purpose of which is to improve conditions for species that rely on wetland habitat (CEQA Guidelines Section 15333 (d)(1)).

Reasons Why Project is Exempt:

The purpose of these projects is to enhance environmental conditions at the Humboldt Bay National Wildlife Refuge, these projects will not adversely affect the environment, nor will they contribute to any cumulative adverse effects from other projects. The first component of these projects will replace three existing tide gate structures with new improved tide gates that will be located in the same sites as the tide gates being replaced and will serve the same purpose and capacities of the tide gates replaced. The second component involves minor alterations to the Humboldt Bay National Wildlife Refuge's levee during the construction of a new tide gate which will result in the improvement of habitat for fish and wildlife resources. The cumulative area disturbed by these habitat enhancement projects does not exceed five acres (Class 33). No protected species will be adversely affected by the project, rather the project's beneficial effects will assist with the recovery of state and federally listed fish species (33 (a)). No hazardous materials reside at or around the project sites (33 (b)). These enhancement projects will not cause adverse impacts therefore this project will not contribute to cumulative impacts (33 (c)). These enhancement projects (33 (d)) will re-vegetate disturbed areas with native plant species, restore and enhance wetland/riparian habitat for waterfowl and other wetland dependent species, and re-vegetate stream banks.

Lead Agency Contact Person: Dave Hull, General Manager, 707-443-0804

Signature: Dave Hull Date: 4-18-06 Title: CEO