



To:
Office of Planning and Research
For U.S. Mail:
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From:
Department of Fish and Wildlife
Northern Region
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Eureka, California 95501
Contact: Michael van Hattem
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Lead Agency (if different from above)
California Department of Transportation
1656 Union Street
Eureka, CA 95501
Contact: Jeffrey Pimentel
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: ~~200109035~~ 2001092035

Project Title: SB Jacoby Creek Bridge and NB Bridge Rail and Tide Gate Replacement Projects (Eureka-Arcata Corridor Projects) (Lake or Streambed Alteration Agreement No. 1600-2018-0503-R1)

Project Location (include county): The project encompasses seven sites along and adjacent to (east side) of US Highway 101, between the cities of Eureka and Arcata, in the County of Humboldt, State of California,; Section 23, Township 5N, Range 1W; Mt. Diablo Base and Meridian, in the Arcata South, CA U.S. Geological Survey 7.5-minute quadrangle.

Project Description: South Bound Bridge: Jacoby Creek (40°50'36.66"N, 124°4'55.74"W): The 1920's bridge will be replaced by a 73-foot long by 43-foot wide, two lane bridge with standard shoulders and bridge rails. The bridge will clear span the Jacoby Creek channel, will be constructed approximately two feet higher than the previous deck height and will have an additional 300 square feet of surface area compared to the existing bridge. A detour bridge will be constructed in the median between the two existing bridges to form the temporary realignment. The temporary realignment onto the new median bridge allows demolition of the existing south bound Jacoby Creek Bridge. After the old bridge and abutments are removed and the new bridge abutments are installed, the detour bridge will be moved to the new location using the jack-and-slide method.

Substantive changes in the Project since Notification include pile installations methods, originally proposed as vibrating/oscillating piers and now proposed as impact pile driving. Due to this change in methodology, hydroacoustic monitoring and thresholds are being proposed to ensure pier installation methods do not result in "take," as defined in Section 86 of the Fish and Game Code.

Tide Gate Replacement: Six tide gates at four different locations within the ESL will be replaced. All tide gates were installed in 1954 and are in poor condition and require emergency repair at an increasing rate. The original Notification included an additional (2) tide gate and associated structure on Eureka Slough, however, those tide gates failed in the winter of 2018/2019 forcing emergency replacement with onsite agency oversight for "take" coverage and guidance. Further modification from the original Notification include installation of rock aprons around gates, which were originally proposed to assist with fish passage but ultimately under further review where determined to not be useful and therefore removed from the Project. Once installed, the fish-friendly tide gates will be adjusted to maintain existing muted tidal flow conditions to perpetuate current habitat conditions present inland of the tide gates, such as minimum and maximum water level, salinity, and water level fluctuations. All replacement gates will use existing concrete headwall structures and will be installed at the same level as existing gates.

This is to advise that CDFW, acting as the Lead Agency / a Responsible Agency approved the above described project and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will / will not have a significant effect on the environment. (This determination is limited to effects within CDFW's jurisdiction when CDFW acts as a responsible agency.)
2. A environmental impact report / A negative declaration / A timber harvesting plan was prepared for this project pursuant to CEQA.
3. Mitigation measures were / were not made a condition of CDFW's approval of the project.

- 4. A Statement of Overriding Considerations was / was not adopted by CDFW for this project.
- 5. Findings were / were not made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
- 6. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment is on file with CDFW.
 - A copy of the CEQA Filing Fee No Effect Determination Form signed by the Department is attached to this notice.
- Lead Agency certification: CDFW, as Lead Agency, has made the final PEIR with comments and responses and record of project approval, or the Negative Declaration, available to the General Public at the CDFW office identified above.
- Responsible Agency statement: The final EIR that was prepared by the Lead Agency for this project is available to the General Public at the office location listed above for the Lead Agency. CDFW's CEQA Findings are available at the CDFW office identified above.

Signature

Gordon Leppig, Senior Environmental Scientist Supervisor

Date:

8/28/19

Date Received for filing at OPR: _____

Governor's Office of Planning & Research

AUG 27 2019

STATE CLEARINGHOUSE