



US Army Corps
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San Francisco District

SAN FRANCISCO DISTRICT

Regulatory Division, Eureka Field Office
601 Startare Drive, Box 14
Eureka, CA 95501

PUBLIC NOTICE

PROJECT: Resighini Rancheria Gravel Extraction

PUBLIC NOTICE NUMBER: 2000-25152N

PUBLIC NOTICE DATE: June 29, 2011

COMMENTS DUE DATE: July 29, 2011

PERMIT MANAGER: David Ammerman

TELEPHONE: 707-443-0855, Ext. 2812

E-MAIL: david.a.ammerman@usace.army.mil

1. **INTRODUCTION:** Resighini Rancheria, P.O. Box 529, Klamath, CA 95548, through its agent, Streamline Planning Consultants (POC: Mr. Robert Brown, 707-822-5785), has applied to the U.S. Army Corps of Engineers (USACE), San Francisco District, for a Department of the Army Permit to discharge fill material into jurisdictional waters of the United States (overflow channel of the Klamath River) associated with the proposed extraction of approximately 100,000 cubic yards of gravel, sand and aggregate from approximately 37 acres of the Klamath River overflow channel within the boundaries of the Resighini Rancheria, in Del Norte County, California. The Resighini Rancheria, through its agent Streamline Planning, has requested a ten year authorization for this activity (2011-2020). This Department of the Army permit application is being processed pursuant to the provisions of Section 404 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1344 *et seq.*) and Section 10 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. § 403 *et seq.*).

2. PROPOSED PROJECT:

Project Site Location: The project site is within an existing overflow channel of the Klamath River, approximately five (5) miles upstream from the mouth of the Klamath River (Section 13 and 23, Township 13 North, Range 1 East, H.B.M., Requa quadrangle) and located east of Highway 101, within the tribal property boundary of the Resighini Rancheria, in Del Norte County, California. The project is south and west of the main Klamath River channel (Please see sheets 1 of 5 through 3 of 5).

Project Site Description: The project site is bounded by Waukell Flats, Highway 169, and the main Klamath River channel on the north; the Klamath River main

channel and the levee and community of Klamath Glen (across the river) to the east; the Rancheria RV park, Community Center and Highway 101 to the west; and East Klamath Beach Road to the south. The project site is accessed via Highway 101 and the eastern side of East Klamath Beach Road. The action area is the overflow gravel bar of the Klamath River, including adjacent tributaries and downstream habitat that may be affected by the proposed action. The closest town is Klamath, approximately 1.5 miles to the north. Surrounding terrain is rugged mountain sides of the Coast Range or Klamath Province. The project is located on the northeasterly portion of the Resighini Rancheria, property of a Federally-recognized tribe. Water surface elevations of the Klamath River adjacent to the project site range from approximately 2-10 feet Mean Sea Level (MSL) for the average low water flow of the River to an elevation of 50 feet during a 100-year flood event. Banks adjacent to the extraction area are at approximately 25-30 foot elevation. Areas previously mined are at approximately 7 feet elevation. The overflow channel ranges from 18 feet elevation at the upper end to 9 feet at the lower end and would typically be subject to inundation during average annual peak precipitation events. Average rainfall in the vicinity is 89 inches per year. 90 % of this rainfall occurs from October to April (*Biological Report for the Flood Overflow Channel at Resighini Rancheria, Del Norte County, CA*, prepared by Streamline Planning Consultants, January 2011, Revised April 15, 2011).

The majority of land on the adjacent Waukell Flat is gravel bar, partially covered with riparian vegetation. Vegetation on the site is composed of Riparian Scrub/Shrub and Riparian Forest (See Sheet 5 of 5). There are small components of Upland Scrub and some riparian areas dominated by persistent and/or ephemeral herbaceous vegetation species. There is freshwater marsh

habitat throughout the overflow channel and large portions of the area are dominated by unconsolidated riverine shoreline (Biological Report, Streamline Planning, April 15, 2011).

The Klamath Overflow project site has been mined for gravel, sand and aggregate numerous times. The Resighini Rancheria Tribe (Tribe) has maintained commercial gravel mining operations at this site since 1986 with the majority of the extraction occurring between 1986-1988 for the Highway 101 Redwoods National Park By-pass. A total of 360,000 cubic yards (cy) was removed at this site by an agent of the Bureau of Indian Affairs (BIA) in 1986 and 1987 (USACE Permit No. 16188N22 and 16188N22A). The BIA and other entities also extracted gravel from adjacent bars and nearby areas such as Blakes Bar and Hunter Creek (*Operations Plan Gravel Extraction Project, Klamath River*, prepared for Resighini Rancheria, prepared by: Streamline Planning Consultants, February 2011). The USACE issued Permit No. 19185N22A to the Resighini Rancheria on October 29, 1996, which approved a total extraction of 450,000 cy of gravel with an expiration in 1999, however very little gravel was extracted during this period.

The USACE issued Permit No. 25152N in the year 2000 to the Tribe and the Tribe's co-applicant and gravel operator, Jaxon Enterprises to extract up to 75,000 cy of gravel from a 16 acre upstream area of the Klamath Overflow channel. Actual gravel extracted in 2000 was 50,000 cy and 49,000 cy in 2001 under the same permit. The most recent USACE permit issued to the Resighini Rancheria for gravel extraction was Permit No. 24715N in October 2003, for a five year permit duration to extract up to 100,000 cy annually from 45 acres of the Klamath River overflow channel. Despite issuance of the permit, little gravel was extracted during the five year permit period. The permit expired in October 2008.

Downstream of the Highway 101 bridge and the project area is the estuary of the lower Klamath River. The Klamath River is considered navigable waters of the United States for approximately 30 miles from the mouth of the Klamath River upstream to approximately Hiouchi Bridge under Section 10 of the Rivers and Harbors Act. Pacific Ocean tides enter the Klamath River and estuary when the sandbar across the river is breached (generally by natural breaching during the winter river high flow periods). Tidal waters from the Pacific Ocean enter the river and the high tide line is approximately 8.6 to 9 feet above Mean Lower Low Water (MLLW).

Project Description: As shown in the attached drawings (See Sheet 4 of 5), the applicant proposes to extract gravel, sand and aggregate from an approximately 40 acre area of the Klamath River overflow channel. All gravel would be mechanically removed from the site and transported either to a previously used upland, on site gravel processing plant where processed gravel would be hauled to various locations in Del Norte County or the gravel would be hauled off site to an upland location within Del Norte County. Extraction is proposed using three general methods or areas described below:

Area 1: This area is approximately 18 acres in size and, as approved in the past, is proposed to be the primary extraction area. The applicant's agent anticipates the winter replenishment of gravel, sand and aggregate would continue in this area. This area is the upstream most site of the three, with its eastern or upstream end located approximately 50 feet or more from the main Klamath River channel. An extraction baseline is proposed to begin 50 feet west of the project limit line (see Sheets 2 of 5 and 3 of 5) beginning with a 10:1 head slope area for one hundred feet (to approximately elevation 11 feet NAVD). The extraction baseline then continues westerly at a 0.1% slope to where it joins with Extraction area 2a. Streamline Planning states that there is presently approximately 60,000 cy of gravel available in Area 1, based on 2010 conditions. When replenished during the winter river high flow season, the area could contain as much as 120,000 cy. Extraction would be at or above this baseline, depending on annual site conditions. The resulting baseline is estimated to be 2 feet above the fall groundwater elevation (3,000 cubic feet per second flow) and 2 feet below the 25,000 cfs wintertime flow.

Area 2a: This area is approximately 12.8 acres in size (including open water areas), consisting of a longitudinal gravel bar skim centered on generally non-vegetated areas in the overflow channel. Area 2 is approximately 190 feet wide and 3,000 feet long, extending west to the downstream pond. Streamline Planning Consultants states this may result in approximately 80,000 cy of gravel extraction, based on current conditions. The proposal is for a one-time extraction of Area 2 (Area 2a). Once completely extracted, subsequent extraction would not likely occur again for the permit term unless a substantial flood/replenishment occurs. Approximately 7.5 acres of riparian vegetation would be removed during the gravel mining process. Mitigation for this riparian vegetation loss is discussed below under "Project Mitigation". The extraction baseline would continue westerly at a 0.1% slope, where it joins with Area 3. Extraction would be at

or above the proposed baseline, depending on annual site conditions. The resulting baseline is estimated to be 2 feet above the fall groundwater elevation and 3 feet below the 25,000 cfs wintertime flow.

Area 2b: The extraction method in this area would be a wetland pit/alcove element that would connect the two lower ponds in the northerly portion of the overflow channel. The specifics for extraction would be similar to that described for Area 3 below.

Area 3: The area is approximately 6.5 acres in size (not including the ponds) and would consist of either a one-time or reoccurring extraction of gravel in the area that separates the downstream ponds from the main Klamath River channel. Extraction is proposed to connect these features to form an alcove feature. Depth of the connection may vary and would be based on specific site conditions and habitat goals. Connection opportunities range from primarily a winter flow connection only to a year round connection, and may result in multiple year extraction. It is estimated that 60,000 cy of gravel is available from this site.

Annual gravel extraction operations are proposed between June 1 through November 1st of each year. Post-grading of the project site for fisheries protection (replacing overflow channel surface contours to pre-extraction contours, removal of pits that may cause fish stranding, and grading of slopes to allow free draining of water flow on the site) would be completed at the end of annual extraction by November 1st. If there is an extended fall dry period, USACE may consider allowing extension of work to November 15th under certain conditions on a case by case basis.

Basic Project Purpose: The basic project purpose comprises the fundamental, essential, or irreducible purpose of the project, and is used by USACE to determine whether the project is water dependent. The basic project purpose is gravel extraction.

Overall Project Purpose: The overall project purpose serves as the basis for the Section 404(b)(1) alternatives analysis, and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, while allowing a reasonable range of alternatives to be analyzed. The overall project purpose is to extract gravel, sand and aggregate for processing as a commodity for commercial sale within and outside tribal boundaries to be used for construction or maintenance of roads and other

infrastructure in or outside of Del Norte County.

Project Impacts: It is estimated that the project in its entirety would impact 37 to 40 acres of overflow channel gravel bar. Extraction Area 1 at the upstream end of the project area is generally devoid of vegetation or lacking substantial cover, particularly in the upstream end of the project. However, new patches of riparian vegetation are shown in aerial photos to be growing back in the downstream portion of Area 1. Area 1 extraction would lower substrate in a shallow skim method on 18 acres of overflow channel along a gradual slope from east to west. About 60,000 cubic yards of gravel is estimated to be available for extraction from Area 1. Winter time river flows entering the overflow channel in Area 1 may replace or replenish gravel extracted from the previous season and may provide as much as 120,000 cubic yards of gravel and aggregate depending on winter variation in river flows, suspended sediment and bed load deposited into the overflow channel. The Area 2 extraction would lower substrate in an area 12.8 acres in size in a linear extraction and with a shallow skim method. During Area 2 extraction, the applicant estimates the removal of 7.5 acres of riparian vegetation, consisting of mature or nearly mature riparian forest. In the portion of Area 2 near the northerly wetland ponds, some riparian and scrub vegetation would be replaced by wetland pits or an alcove feature. A similar extraction in Area 3 would replace a riparian or scrub vegetation component with wetland pits or alcove feature.

Extraction is proposed during the months of June 1 to November 1, when the overflow channel extraction area is dry. During annual extraction, there would be short-term, minor to moderate increases in noise levels from the use of heavy equipment, gravel haul trucks and operation of the gravel processing plant should the contractor take the option of on-site gravel processing and sorting at the previously used processing site located along East Klamath Beach Road. In addition to equipment noise, there would be a temporary decrease in area aesthetics, increased generation of dust, diesel and other fuel emissions and increased traffic on East Klamath Beach Road and Highway 101 from potential hauling of gravel by trucks to other gravel plants or construction sites in Del Norte County.

Proposed Mitigation: Loss of riparian, wetland or other upland vegetation during the gravel extraction process would be replaced at a minimum 1:1 replacement ratio by active replanting of extracted areas where necessary in combination with allowing natural re-

establishment of vegetation from surrounding undisturbed vegetation habitat. The extraction areas will be monitored for revegetation for at least ten years or the duration of the USACE permit (2011-2020). Mitigation and monitoring reports will be provided by the applicant on an annual basis to USACE and U.S. EPA. A final mitigation and monitoring report will be required to include a delineation of wetland, riparian or other vegetation habitat to be confirmed by the USACE and EPA as successful mitigation or not.

Prior to each year's annual extraction in Area 1 and the first year's extraction of Areas 2 and 3, the applicant will provide the USACE, EPA and the National Marine Fisheries Service (NMFS) with a pre-extraction plan and channel extraction and monitoring cross sections. Upon review of these submittals for a given extraction season, USACE, NMFS the Rancheria staff, Streamline Planning Consultants and, if available, EPA would conduct site inspections before the start of gravel operations and discuss the extraction proposals, make recommendations for modifications of such proposals and evaluate previous extraction year's activities. The intent is to ensure the gravel operator keeps the extraction depth, width and length in accordance with agreed upon skim floors, baseline elevations and extraction boundaries. The applicant would be required to submit post-extraction monitoring and extraction cross sections and actual volume calculations of extraction so that the resource agencies and USACE can monitor and evaluate impacts to waters of the United States, impacts to vegetative plant communities, and biological impacts to anadromous fish and habitat for other aquatic organisms and terrestrial plant or animal species

Project Alternatives: One design project alternative is to reduce the footprint and volume of gravel extraction material. This may include eliminating Areas 2 and 3 from consideration for one or more seasons or entirely. This would reduce the amount of impact on vegetative plant communities and potential fisheries habitat within the property boundaries of the Resighini Rancheria. This alternative could result in less sales of sand, gravel and aggregate material commercially and less material available for Rancheria use.

Another alternative is extracting gravel from gravel bars in the main channel of the Klamath River as has been done many years in the past. This could result in higher environmental impacts on the Klamath River environment including but not limited to direct impacts on anadromous salmon and their critical habitat. In addition, there are

other Endangered Species Act listed species such as Pacific eulachon and green sturgeon. Some or all of these bars are not accessible to the applicant legally or otherwise due to separate ownership of land. These gravel bars may not provide the applicant with sufficient material to make it economically worthwhile or meet the applicant's needs. This is also the case for upland quarry sources of material which may not be of the right quality of sand, gravel or aggregate material sought after by the applicant.

Another alternative for the applicant is to purchase gravel and aggregate from other entities in Del Norte or Humboldt Counties that have existing stockpiles of processed aggregate. The disadvantage of this alternative is the cost of truck hauling this material to the applicant's property from as far away as the Smith River in Del Norte County or the Mad River in the Arcata, Humboldt County area.

3. STATE AND LOCAL APPROVALS:

Water Quality Certification: In general, State water quality certification or a waiver is a prerequisite for the issuance of a Department of the Army Permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1341 et seq.). No Department of the Army Permit will be issued until the applicant obtains the required certification or a waiver of certification. However, for activities occurring on Federally-recognized Tribal lands (as is the case for this project area), water quality certification is typically obtained from the U.S. Environmental Protection Agency (EPA), rather than from the State of California.

Water quality issues should be directed to the Administrator, Region IX, U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Coastal Zone Management: Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1456(c) *et seq.*), requires a non-Federal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to obtain a Consistency Certification that indicates the activity conforms with the State's coastal zone management program. Generally, no federal license or permit will be granted until the appropriate State agency has issued a

Consistency Certification or has waived its right to do so. The downstream portion of the project area on the Resighini Rancheria appears to be in the coastal zone, and a *preliminary* review by USACE indicates the project would not likely affect coastal zone resources. This presumption of effect, however, may be subject to a final determination by the California Coastal Commission.

Coastal zone management issues should be directed to the District Manager, California Coastal Commission, North Coast District Office, 710 E Street, Suite 200, Eureka, California 95501, by the close of the comment period.

4. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act (NEPA): Upon review of the Department of the Army permit application and other supporting documentation, USACE has made a *preliminary* determination that the project neither qualifies for a Categorical Exclusion nor requires the preparation of an Environmental Impact Statement for the purposes of NEPA. At the conclusion of the public comment period, USACE will assess the environmental impacts of the project in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347), the Council on Environmental Quality's Regulations at 40 C.F.R. Parts 1500-1508, and USACE Regulations at 33 C.F.R. Part 325. The final NEPA analysis will normally address the direct, indirect, and cumulative impacts that result from regulated activities within the jurisdiction of USACE and other non-regulated activities USACE determines to be within its purview of Federal control and responsibility to justify an expanded scope of analysis for NEPA purposes. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Department of the Army Permit for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division.

Endangered Species Act (ESA): Section 7(a)(2) of the ESA or 1973, as amended (16 U.S.C. § 1531 *et seq.*), requires Federal agencies to consult with either the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) to insure actions authorized, funded, or undertaken by the agency are not likely to jeopardize the continued existence of any Federally-listed species or result in the adverse modification of designated critical habitat. As the Federal

lead agency for this project, USACE has conducted a review of the California Natural Diversity Data Base, digital maps prepared by USFWS and NMFS depicting critical habitat, and other information provided by the applicant, to determine the presence or absence of such species and critical habitat in the project area. Based on this review, USACE has made a preliminary determination that the following Federally-listed species and designated critical habitat is present at the project location or in its vicinity, and may be affected by project implementation: Southern Oregon/Northern California (SONCC) Evolutionarily Significant Unit (ESU) coho salmon (*Oncorhynchus kisutch*), the Southern Distinct Population Segment (DPS) green sturgeon (*Acipenser medirostris*), and the Southern DPS Pacific eulachon (*Thaleichthys pacificus*). The SONCC ESU coho salmon is listed as threatened, the green sturgeon is listed as threatened, and the Pacific eulachon is also listed as threatened by NMFS pursuant to the ESA. Since the project site is on tribal land (Resighini Rancheria), critical habitat for each of these species is excluded from consideration on tribal lands. To address project related impacts to these species, USACE will initiate formal consultation with NMFS, pursuant to Section 7(a) of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project.

Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA): Section 305(b)(2) of the MSFCMA of 1966, as amended (16 U.S.C. § 1801 *et seq.*), requires Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all proposed actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. EFH is designated only for those species managed under a Federal Fisheries Management Plan (FMP), such as the *Pacific Groundfish FMP*, the *Coastal Pelagics FMP*, and the *Pacific Coast Salmon FMP*. As the Federal lead agency for this project, USACE has conducted a review of digital maps prepared by NMFS depicting EFH to determine the presence or absence of EFH in the project area. Based on this review, USACE has made a *preliminary* determination that EFH is present at the project location or in its vicinity, and that the critical elements of EFH may be adversely affected by project implementation. At a minimum, the EFH species in or near the project area include the SONCC ESU coho salmon, the CC ESU Chinook salmon, and a variety of estuarine and marine fish listed as EFH species in the

three Fisheries Management Plans mentioned above. To address project related impacts to EFH, USACE will initiate consultation with NMFS, pursuant to Section 305(5)(b)(2) of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project.

Marine Protection, Research, and Sanctuaries Act (MPRSA): Section 302 of the MPRS of 1972, as amended (16 U.S.C. § 1432 *et seq.*), authorizes the Secretary of Commerce, in part, to designate areas of ocean waters, such as the Cordell Bank, Gulf of the Farallones, and Monterey Bay, as National Marine Sanctuaries for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or aesthetic values. After such designation, activities in sanctuary waters authorized under other authorities are valid only if the Secretary of Commerce certifies that the activities are consistent with Title III of the Act. No Department of the Army Permit will be issued until the applicant obtains the required certification or permit. The project does not occur in sanctuary waters, and a *preliminary* review by USACE indicates the project would not likely affect sanctuary resources. This presumption of effect, however, remains subject to a final determination by the Secretary of Commerce, or his designee.

National Historic Preservation Act (NHPA): Section 106 of the NHPA of 1966, as amended (16 U.S.C. § 470 *et seq.*), requires Federal agencies to consult with the appropriate State Historic Preservation Officer to take into account the effects of their undertakings on historic properties listed in or eligible for listing in the *National Register of Historic Places*. Section 106 of the Act further requires Federal agencies to consult with the appropriate Tribal Historic Preservation Officer or any Indian tribe to take into account the effects of their undertakings on historic properties, including traditional cultural properties, trust resources, and sacred sites, to which Indian tribes attach historic, religious, and cultural significance. As the Federal lead agency for this undertaking, USACE has conducted a review of latest published version of the *National Register of Historic Places*, survey information on file with various city and county municipalities, and other information provided by the applicant, to determine the presence or absence of historic and archaeological resources within the permit area. Based on this review, USACE has made a *preliminary* determination that no historic or archaeological resources are present in the permit area, and that no such resources may be adversely affected by the project. To address any potential project related

impacts to historic or archaeological resources, USACE will initiate consultation with the State Historic Preservation Officer and the Tribal Historic Preservation Officer(s), pursuant to Section 106 of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project. If unrecorded archaeological resources are discovered during project implementation, those operations affecting such resources will be temporarily suspended until USACE concludes Section 106 consultation with the State Historic Preservation Officer or the Tribal Historic Preservation Officer to take into account any project related impacts to those resources.

5. COMPLIANCE WITH THE SECTION 404(b)(1) GUIDELINES: Projects resulting in discharges of dredged or fill material into waters of the United States must comply with the Guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. § 1344(b)). An evaluation pursuant to the Guidelines indicates the project is not dependent on location in or proximity to waters of the United States to achieve the basic project purpose. This conclusion raises the (rebuttable) presumption of the availability of a practicable alternative to the project that would result in less adverse impact to the aquatic ecosystem, while not causing other major adverse environmental consequences.

6. PUBLIC INTEREST EVALUTION: The decision on whether to issue a Department of the Army Permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project and its intended use on the public interest. Evaluation of the probable impacts requires a careful weighing of the public interest factors relevant in each particular case. The benefits that may accrue from the project must be balanced against any reasonably foreseeable detriments of project implementation. The decision on permit issuance will, therefore, reflect the national concern for both protection and utilization of important resources. Public interest factors which may be relevant to the decision process include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

7. CONSIDERATION OF COMMENTS: USACE is

soliciting comments from the public; Federal, State and local agencies and officials; Native American Nations or other tribal governments; and other interested parties in order to consider and evaluate the impacts of the project. All comments received by USACE will be considered in the decision on whether to issue, modify, condition, or deny a Department of the Army Permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental or public interest factors addressed in a final environmental assessment or environmental impact statement. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the project.

8. SUBMITTING COMMENTS: During the specified comment period, interested parties may submit written comments to David Ammerman, San Francisco District, Regulatory Division, Eureka Field Office, 601 Startare Drive, Box 14, Eureka, California 95501; comment letters should cite the project name, applicant name, and public notice number to facilitate review by the Regulatory Permit Manager. Comments may include a request for a public hearing on the project prior to a determination on the Department of the Army permit application; such requests shall state, with particularity, the reasons for holding a public hearing. All substantive comments will be forwarded to the applicant for resolution or rebuttal. Additional project information or details on any subsequent project modifications of a minor nature may be obtained from the applicant and/or agent, or by contacting the Regulatory Permit Manager by telephone or e-mail cited in the public notice letterhead. An electronic version of this public notice may be viewed under the *Current Public Notices* tab on the USACE website: <http://www.spn.usace.army.mil/regulatory/>.