

**Notice of Determination****- 1 -**

**To:**  
Office of Land Use and Climate  
Innovation  
[CEQA Submit](#)

Department of Fish and Wildlife (CDFW)  
Northern Region  
601 Locust Street, Redding, CA 96001

Contact: James Ray  
Phone: 707-502-5565  
Email:

Lead Agency  
North Coast Regional Water Quality Control  
Board  
5550 Skylane Boulevard, Suite A, Santa Rosa,  
CA  
Contact: Jake Shannon  
Phone: 707-576-2673  
Email:  
Jacob.Shannon@Waterboards.ca.gov

**From:**

**SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code § 21108***  
State Clearinghouse Number: 2019100230

Project Title: Elk River Estuary (Planning Area 1) Restoration Project (Restoration  
Management Permit No. RMP-2026-0019-R1)

Project Location (include county): The 857-acre Project is located on the lower Elk River,  
which is the largest tributary of Humboldt Bay. The Project is located in the County of  
Humboldt, State of California; Latitude 40.747745 and Longitude -124.189293.

Project Description: This Project proposes to benefit native fish, wildlife, plants, and their  
habitat. The Project is expected to increase and improve aquatic habitat for native fish  
and wildlife, including coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*O.*  
*tshawytscha*), steelhead trout (*O. mykiss*), longfin smelt (*Spirinchus thaleichthys*), and  
tidewater goby (*Eucyclogobius newberryi*). This will be achieved by removing or  
breaching levees and an abandoned railroad grade, removing tide gates or replacing  
them with fish friendly tide gates; restoring tidal marshes, sloughs and creek channels  
and their connectivity to mainstem channels; creating backwater features for seasonal  
waterfowl, amphibian, and winter salmonid rearing habitat; placement of large wood  
structures in fluvial and tidal habitats; expanding native plant communities including  
tidal marsh, riparian, and coastal scrub habitats; excluding cattle from waterways and  
riparian areas adjacent to pastures; and managing invasive vegetation.

CDFW has determined that the Project is a Qualifying Restoration Project pursuant to  
section 1671(d)(1) of the Fish and Game Code, and the Project is expected to result in a  
substantial, cumulative benefit to native fish, wildlife, plants, and their habitat, or any  
combination thereof. This notice is to advise that CDFW issued the above-described  
RMP and has made the following determinations regarding the project pursuant to  
California Code of Regulations section 15096, subdivision (i):

**Notice of Determination**

This is to advise that CDFW, acting as  the lead agency /  a responsible agency] approved the above-described project on 4/15/2026 and made the following determinations regarding the above described project:

1. The project  will /  will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
2.  An environmental impact report /  A negative declaration] was prepared by the lead agency for the original project.
3. Additional mitigation measures  were /  were not] made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan  was /  was not] adopted by CDFW for this project.
5. A Statement of Overriding Considerations  was /  was not] adopted by CDFW for this project.
6. Findings  were /  were not] made by CDFW pursuant to Public Resources Code § 21081(a).
7. 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 was submitted to CDFW.
- Responsible Agency statement: The EIR prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:  
  
 Signature \_\_\_\_\_ Date: 4/15/2026

Michael Harris, Acting Regional Manager

Date Received for filing at OPR: \_\_\_\_\_