



US Army Corps
of Engineers®

PUBLIC NOTICE

Applicant:
Hoopa Valley Tribe
Roads and Aggregate

Published: February 18, 2026
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San Francisco District
Permit Application No. SPN-2003-278400

TO WHOM IT MAY CONCERN: The San Francisco District of the U.S. Army Corps of Engineers (Corps) has received an application for reissuance of a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Hoopa Valley Tribe (HVT)
Roads and Aggregate
P.O. Box 789
Hoopa, California 95546

AGENT: Mike Atkins
North Coast Forestry

WATERWAY AND LOCATION: The project would affect waters of the United States associated with the Trinity River. The project/review area is located at seven tribal owned gravel bars along the Trinity River, adjacent to Highway 96, on the Hoopa Valley Indian Reservation, Trinity County, California, described below and shown on the attached map (Figure 1).

Security East Bar: This is the farthest downstream of the seven extraction sites located on the right or east bank of the Trinity River. Access to the north end of the bar is reached via a gravel haul road off Tish Tang Road and Highway 96.

Security West Bar: Located on the left or west bank of the Trinity River; east of the Hoopa Fire Station and Highway 96. The most southerly access road would be used for access and to haul gravel to Highway 96.

Cal Pac Bar: Located on the left or west bank of the Trinity River; east of Highway 96 and east of the gravel processing plant and administrative offices of Hoopa Valley Aggregate & Readymix Enterprises.

Tish Tang and Tish Tang Creek and Tish Tang #8: Located on the right or east bank of the Trinity River just upstream of the Cal Pac Bar. This bar would likely require use of a summer bridge to gain access to/from the gravel processing plant on the west side.

Campbell Bar: Located on the left or west bank of the Trinity River just upstream of Tish Tang No. 8 and can be accessed by haul roads off Highway 96. The gravel haul route would use an unimproved roadway off the cul-de-sac at the south end of Campbell Field Lane. Campbell Field Lane is a paved two lane roadway that leads directly to the Cal-Pac Processing Plant.

Rowland Bar: a newly proposed project site located just to the south of the Hoopa Wildland Fire Department on the left bank of the Trinity River. The bar, and access through the bar is on private property where extraction had formerly been performed by the property owner. The Hoopa Tribal Aggregates department has reached an agreement to perform extraction activities in the future. Access to this site can be reached by a river access gravel roadway that connects directly to state Highway 96.

EXISTING CONDITIONS: The proposed action involves removal of river run aggregate materials from within the active channel of the Trinity River, Humboldt County California. All the locations are characterized by sparse quantities of riparian vegetation, and large bedrock features. The gravel bars are dynamic and change locations within the active channel frequently. No development exists on any of the locations where materials will be removed.

PROJECT PURPOSE:

Basic: 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 to extract gravel.

Overall: 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 and other river run aggregate for commercial sale.

PROPOSED WORK: The applicant proposes to extract a cumulative total of up to 100,000 cubic yards of gravel and other river run aggregate annually from multiple sites on the Trinity River, for a period of ten years. Gravel extraction would occur when the bars are exposed during low water periods, typically between June 1 to October 15 annually. Actual extraction amounts have been significantly less than permitted volumes during the years 2001-2024. Should the recruitment of gravel be insufficient or not desirable, extraction may not occur in any given year. Extraction surveys and calculations will be provided annually to USACE and the NMFS for review and approval of the proposed annual extraction. The actual volume removed and the specific area of extraction from the bars will vary from year to year.

The most common type of gravel extraction technique used in past years is bar or bench skimming. A front end loader or scraper would excavate a shallow layer skim on the surface of the barren gravel bar, at times pushing gravel into temporary piles or

excavating and loading directly onto dump trucks for hauling to the gravel processing plant. Similar techniques will be used in the future, however, other extraction techniques including trenching, wet pit, off-channel (overflow channel) grading and terrace skimming may be proposed in a given year. The type of extraction proposed would depend on site-specific conditions including the amount of annual winter high flow replenishment of gravel and aggregate, river channel morphology and designs needed to protect fish habitat. Temporary roads used to access the bars will be included in the annual extraction plan. Temporary bridges may be proposed for certain sites. All annual extraction plans will be approved by NMFS and the Corps prior to extraction commencing.

All equipment and vehicles used in the mining operation will be properly cleaned prior to entering the extraction areas, and properly maintained to minimize the possibility of spills or leaks. In all cases as the end of the season nears but no later than October 1, final grading will occur toward the downstream end of the gravel bar to prevent stranding of fish. Until October 1, gravel may be temporarily stockpiled on the gravel bar before hauling. After October 1, stockpiled gravel would be removed on a daily basis and the gravel bar graded at the end of each workday. Extensions into October may be approved by USACE and NMFS for a given year depending on relevant conditions. Enhancement and restoration for habitat improvement may be requested.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: All of the proposed extraction activities include avoidance and minimization measures including, but not limited to, the following: avoidance of riparian vegetation; work season limitations; post extraction grading; adherence to all annual recommendations from USACE and/or NMFS; pre and post extraction surveys and monitoring; and annual review and approval of all extraction plans.

COMPENSATORY MITIGATION: Compensatory mitigation would not likely be required from the proposed annual gravel extraction operations as they would be anticipated to result in minor and temporary impacts to waters of the U.S. and to not result in permanent impacts or loss of waters. There will be no loss of waters or wetlands associated with proposed extraction activities.

CULTURAL RESOURCES: The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps' permit area; therefore, there will be no historic properties affected.

The District Engineer's final eligibility and effect determination will be based upon coordination with the State Historic Preservation Office and/or Tribal Historic Preservation Office, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, or designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

The proposed project may have an effect on federally listed coho salmon and their critical habitat. USACE anticipates that the proposed project activities may contribute fine sediments as a sediment plume during the first rains in the fall and more fine sediments, which may fill the interstitial spaces in the gravel and pools. The sediment plumes, filled interstitial spaces, and fining of pool sediments constitute indirect impacts to designated critical habitat and may also affect salmonid behavior.

To address project related impacts to these species designated critical habitat, USACE will initiate 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.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

The Corps intends to initiate Essential Fish Habitat (EFH) consultation separately from this public notice. An EFH consultation package will be sent to the National Marine Fisheries Service (NMFS). The Corps will not make a permit decision until the consultation process is complete.

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification will be required from the Hoopa Valley Tribe, on an annual basis, for a given year's extraction.

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.*). The applicant is aware of this requirement, and the water certification will be supplied by the HVT. No Department of the Army Permit will be issued until the applicant obtains the required certification or a waiver of certification.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps is soliciting comments from the public; Federal, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The San Francisco District will receive written comments on the proposed work, as outlined above, until ~~March 13, 2026~~March 18, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to F. Kelly Finn at fairfax.k.finn@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, San Francisco District, Attention: F. Kelly Finn, 601 Startare Drive #13 Eureka, CA 95501. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.