

**Notice of Determination**

**To:**  
Office of Planning and Research  
For U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

**From:**  
Department of Fish and Wildlife  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
Contact: Brock Warmuth  
Phone: 805-962-4698



Lead Agency  
California Department of Food and Agriculture  
CalCannabis Cultivation Licensing Division  
1220 N Street  
Sacramento, California 95814  
Phone: 833-225-4769

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2016082077

**Project Title:** Sierra Botanicals LLC (Lake or Streambed Alteration Agreement No. EPIMS-04971-R5)

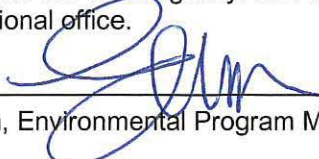
**Project Location:** The project is located at 1999 US Highway 101, Buellton, 93427, in the County of Santa Barbara, State of California; Assessor's Parcel Number 083-430-015; Latitude 34.552115, Longitude -120.193956. Nojoqui Creek is located on-site and runs along the west side of the parcel and adjacent to the cultivation site.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number EPIMS-04971-R5, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Justin El-Diwany. The project is limited to the cultivation of cannabis, using only natural light. As part of the cultivation operation, the maintenance of a well and access road are proposed to take place within and adjacent to the on-site stream (Nojoqui Creek), which runs along the west side of the parcel. A 100-foot buffer will be provided from Nojoqui Creek. Currently, no improvements to the access road are proposed. As riparian vegetation grows onto the access road, minor trimming will occur with hand tools only. Vegetation trimming will take place at maximum one day annually.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on \_\_\_/\_\_\_/\_\_\_ 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 permitting jurisdiction as a Responsible Agency.
- 2. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
- 3. 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 California Code of Regulations section 15091.

The final environmental impact report prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

*Signature*  *Date:* 11.22.19  
Erinn Wilson, Environmental Program Manager

Governor's Office of Planning & Research

Date Received for filing at OPR: **NOV 22 2019**

**STATE CLEARINGHOUSE**