

**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: Kevin Hupf  
Phone: (858) 636-3160  
[kevin.hupf@wildlife.ca.gov](mailto:kevin.hupf@wildlife.ca.gov)

**Lead Agency:**  
Department of Food and Agriculture  
CalCannabis Cultivation Licensing Division  
1220 N Street  
Sacramento, CA 95814  
Contact: Amber Morris  
Phone: (916) 263-0801

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

**State Clearinghouse Number:** 2016082077 (CalCannabis Cultivation Licensing Program)

**Project Title:** Streambed Alteration Agreement No. 1600-2018-0251-R5 for the Ag Roots cannabis cultivation project.

**Project Location:** The project is located in Santa Barbara County at 5935 Santa Rosa Road, Lompoc, California 93436; latitude 34.60751, longitude -120.29938; Assessor Parcel Number 083-150-011.

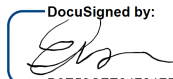
**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2018-0251-R5, pursuant to section 1602 of the Fish and Game Code to the project applicant, Ag Roots, LLC, as represented by Jack Crummer.

The project is the cultivation of cannabis and associated activities on 33.02 acres within a 119.81-acre parcel. The project includes approximately 28.37 acres of cannabis canopy within temporary hoop structures, existing access roads, harvest storage, composting, water storage tanks, on-site wells, and other associated infrastructure. The cannabis canopy will be set back a minimum of 100 feet from the Santa Ynez River and a minimum of 50 feet from Shale Creek. The water source for the project is one existing on-site well located at latitude 34.60751, longitude -120.29938 and one existing off-site well located at latitude 34.60592, longitude -120.28874. Both wells pump water from alluvial material and are located adjacent to the Santa Ynez River. The project proposes to use a maximum of 51 acre-feet of water annually.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on 11/19/2021 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 a Responsible Agency is available at CDFW's regional office.

**Signature**  DocuSigned by:  
06E580FE24724F5...

11/19/2021

**Date:** \_\_\_\_\_

Erinn Wilson-Olgin, Environmental Program Manager

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

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION  
NUMBER 1600-2018-0251-R5**

**CEQA FINDINGS**

**INTRODUCTION:**

The California Environmental Quality Act ("CEQA"; Public Resources Code §21000, *et seq.*), and the State CEQA Guidelines ("Guidelines"; 14 Cal.Code Regs. 15000, *et seq.*) require that prior to reaching a decision on a project, a Responsible Agency must consider the environmental effects of the project as shown in the Environmental Impact Report prepared by the Lead Agency.

As the Lead Agency, the California Department of Food and Agriculture adopted the Final Programmatic Environmental Impact Report for the CalCannabis Cultivation Licensing Program (SCH No. 2016082077) and caused a Notice of Determination to be filed on November 14, 2017.

The California Department of Fish and Wildlife (CDFW) is issuing an Agreement regarding the Stream or Lake Alteration to the project applicant, Ag Roots, LLC, as represented by Jack Crummer. The project is the cultivation of cannabis and associated activities on 33.02 acres within a 119.81-acre parcel. The project includes approximately 28.37 acres of cannabis canopy within temporary hoop structures, existing access roads, harvest storage, composting, water storage tanks, on-site wells, and other associated infrastructure. The cannabis canopy will be set back a minimum of 100 feet from the Santa Ynez River and a minimum of 50 feet from Shale Creek. The water source for the project is one existing on-site well located at latitude 34.60751, longitude -120.29938 and one existing off-site well located at latitude 34.60592, longitude -120.28874. Both wells pump water from alluvial material and are located adjacent to the Santa Ynez River. The project proposes to use a maximum of 51 acre-feet of water annually.

The CDFW is a Responsible Agency under CEQA for the purpose of approving the Streambed Alteration Agreement necessitated by the Lead Agency's project. As a CEQA Responsible Agency, CDFW is required by Guidelines §15096 to review the environmental document certified by the Lead Agency approving the project and to make certain findings concerning the project's potential to cause significant, adverse environmental effects. However, when considering alternatives and mitigation measures approved by the Lead Agency, a Responsible Agency is more limited than the Lead Agency. CDFW has responsibility for mitigating or avoiding only the direct or indirect environmental effects of the streambed alteration agreement that it approves.

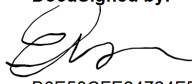
**FINDING:** CDFW has considered the Mitigated Neg. Dec. adopted by the Lead Agency. CDFW has independently concluded that the Streambed Alteration Agreement should be issued under the terms and conditions specified therein. CDFW finds that with the mitigation measures incorporated into the Streambed Alteration Agreement, there will be no significant effects from the project.

**FINDING:** CDFW has considered the EIR adopted by the Lead Agency. CDFW has independently concluded that the Streambed Alteration Agreement should be issued under the terms and conditions specified therein. CDFW finds that changes have been incorporated into the project that will avoid or substantially lessen the significant environmental effect as identified in the final EIR. In particular, CDFW finds that the measures incorporated into the Streambed Alteration Agreement will ensure there will be no significant effects from project.

*The Project is Approved.*

11/19/2021

DATE: \_\_\_\_\_

DocuSigned by:  
  
B6E58CFE24724F5...

Erinn Wilson-Olgin  
Environmental Program Manager  
South Coast Region  
California Department of Fish and Wildlife