

**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  
North Central Region  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670  
Contact: Sean Hoobler  
Phone: 916-358-4359

**Lead Agency**  
Nevada County  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95946  
Contact: David Nicholas  
Phone: 530-265-1257

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

**State Clearinghouse Number:** 2018082023

**Project Title:** Blue Ocean Xenia (Streambed Alteration Agreement EPIMS Notification No. NEV-30409-R2)

**Project Location (include county):** The project is located in an unnamed tributary to South Yuba River, in the County of Nevada, State of California; Latitude 39.266393, Longitude 121.212341; Assessor’s Parcel Number [APN] 001-330-043-000.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed Streambed Alteration Agreement EPIMS Notification Number NEV-30409-R2, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Terence Martin.

The Project is limited to removal of two downed oak trees, including trunks and associated branches, that fell into a seasonal creek adjacent to a 5,000 square foot proposed new cannabis cultivation site.

This is to advise that CDFW, acting as a Responsible Agency, executed the above Streambed Alteration Agreement on the date signed below 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 execution of the above Streambed Alteration Agreement as Responsible Agency is available at CDFW’s regional office.

DocuSigned by:  
*Jennifer Garcia*  
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Signature: \_\_\_\_\_

Date: 5/17/2023

Jennifer Garcia, Environmental Program Manager