

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:

California Department of Fish and Wildlife (CDFW)
 Central Region
 1234 East Shaw Avenue, Fresno, CA 93710
 Contact: Bonna Newell, (559) 903-1033

Lead Agency

The County of San Luis Obispo, Department of
 Planning and Building
 976 Osos Street, Room 300; San Luis Obispo, CA
 93408-2040

Contact: Eric Hughes
ehughes@co.slo.ca.us
 Phone: (805) 781-5600

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

State Clearinghouse Number: 2023040369

Project Title: EC Grow, LLC., Cannabis Cultivation and Processing Project (California Endangered Species Act Incidental Take Permit No. 2081-2022-086-04 (ITP))

Project Location: The Project is located approximately 11.5 miles east of the City of New Cuyama, and south of and adjacent to California State Route 166, at 2675 Cuyama Highway, New Cuyama, California, 93461; San Luis Obispo County.

Project Description: The Project includes the development of 8.90 acres for use in the cultivation, manufacturing, and distribution of cannabis. Activities also include those related to the ongoing operation and maintenance of the facilities required to cultivate, manufacture, and distribute cannabis.

The Project will result in permanent impacts throughout the 8.90-acre Project area to San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), and San Joaquin kit fox (*Vulpes macrotis mutica*) habitat. The Project is expected to result in incidental take of San Joaquin antelope squirrel and San Joaquin kit fox, which are designated as a threatened species under the California Endangered Species Act (CESA). The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 7/15/2024 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 section 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
7. Compliance with the environmental filing fee requirement at Fish and Game Code section 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.

Notice of Determination

Responsible Agency statement: The Mitigated Negative Declaration 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:

Sarah Paulson

Signature

Date: 7/15/2024

For Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____