

**Notice of Exemption**

**To:** Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Rm 113  
Sacramento, CA 95812-3044

**From:** California Department of Fish and Wildlife  
Habitat Conservation Planning Branch  
Native Plant Program  
P.O. Box 944209  
Sacramento, CA 94244-2090

**Project Title:** Invasive Species Control for Nipomo Mesa Lupine (Project)

**Project Location:** The Project will take place at Black Lake Ecological Area in San Luis Obispo County, which is a 160-acre property within the Guadalupe Nipomo Dunes Complex and is owned by the Land Conservancy of San Luis Obispo County (LCSLO).

**Project Description:** The California Department of Fish and Wildlife is issuing a permit to The Land Conservancy of San Luis Obispo County [Permit No. 2081(a)-21-003-RP] pursuant to Fish and Game Code section 2081(a) for a project to control invasive species to promote native plant recruitment and Nipomo Mesa lupine recovery. Project activities include conducting surveys of the Nipomo Mesa lupine (*Lupinus nipomensis*) population, applying herbicides to non-native species infestations, and hand-weeding using hand tools. Nipomo Mesa lupine surveys will be conducted prior to and during all weed control activities on-site, and Nipomo Mesa lupine locations will be visually demarcated. A buffer zone of no less than 15 feet (but typically 25 feet) will be established around Nipomo Mesa lupine plants, and only hand-weeding using hand tools such as shovels will be performed in each buffer zone. Outside of the buffer zones, Permittee will apply herbicides with backpack sprayers and truck mounted skid sprayers. The application approach will utilize selective grass-specific herbicides to treat dense infestations of non-native grass species. Spot spraying broad-spectrum herbicides on non-native broad-leaf species will only be used when collateral native species damage can be avoided. Invasive species will be treated multiple times each season, between November and April. A Nipomo Mesa lupine survey will be performed at the end of each treatment season for the duration of the project that documents the number of plants found, the geographic location of each plant, the status of each plant (i.e., dead, gone, set seed, or flowering). If a plant is noted as dead or gone, Permittee will record any indications of the causes of the plant death or disappearance.

**California Public Agency Approving Project:** California Department of Fish and Wildlife

**Person or Agency Carrying Out Project:** Jonathan Hall, Stewardship Director, LCSLO

**Exempt Status:**

- Ministerial;
- Declared Emergency;
- Emergency Project;
- Categorical Exemption. Type and section number: Sections 15306 and 15306, Classes 6 and 7

**Reasons why project is exempt:** The Project will facilitate the recovery of the California endangered Nipomo Mesa lupine by attempting to control competing invasive species in its habitat. The project consists of basic data collection, research, experimental management, and resource evaluation activities, as well as actions to assure the maintenance restoration, and enhancement of Nipomo Mesa lupine. The permit issued by the California Department of Fish and Wildlife for the Project includes measures to ensure that existing populations of Nipomo Mesa lupine are not impacted.

**Lead Agency Contact Person:** Cheryllyn Burton

Area Code/Telephone/ Extension: (916) 206-0411

**Signature:** 

Isabel Baer, Native Plant Program Manager

**Date:** 2/19/2021

Signed by Lead Agency

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