

Notice of Exemption

To: Office of Planning and Research
P.O. 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: Marsh Sandwort and La Graciosa Thistle Outplanting At Black Lake Ecological Area (Project)

Project Location: The Project will take place at Black Lake Ecological Area (35.05797, -120.60517) in the unincorporated town of Nipomo in San Luis Obispo County. Propagation activities will take place at The Land Conservancy of San Luis Obispo County (LCSLO) greenhouse facilities (35.20902, -120.69929).

Project Description: The California Department of Fish and Wildlife is issuing a California Endangered Species Act (CESA) permit to The Land Conservancy of San Luis Obispo County (Permit No. 2081(a)-23-010-RP) pursuant to Fish and Game Code section 2081(a) for a project to establish a new population of marsh sandwort (*Arenaria paludicola*) and La Graciosa thistle (*Cirsium scariosum* var. *loncholepis*) at Black Lake Ecological Area. Propagated marsh sandwort plugs will be installed in 2024 along the shore and on top of floating islands. Maternal lines will be tracked, and planting locations will be recorded using global positioning service (GPS). Propagated La Graciosa thistle plants will be installed on the western edge of Black Lake in 2024. The Permittee will record the GPS location of each seedling and will monitor individuals for successful seed production. Vegetation management will occur year-round following outplanting to ensure invasive species competition is minimized. A formal rare species survey will be conducted prior to any on-site maintenance activities. Herbicide treatments may be conducted within the vicinity of plantings and will include an herbicide buffer zone of no less than 15 feet (more often 25 feet) around any marsh sandwort or La Graciosa thistle plants. Vegetation management within the buffer zone will be restricted to mechanical string trimming, hand weeding, or removal using hand tools. A formal survey will be performed at the end of the growing season each summer to record the number of marsh sandwort and La Graciosa thistle plants, the survey date, the geographic location of each plant found, and the plant's status. The Permittee will monitor the outplanted populations for a minimum of five consecutive years to determine presence, absence, population contraction or expansion, and to evaluate the ecological tolerances of the species to natural occurrences of heat, frost, flooding, and drought. Water quality data (e.g., pH, conductivity, temperature, and dissolved oxygen) will be collected annually in the fall.

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

Person or Agency Carrying Out Project: Lindsey Roddick, Senior Restoration Ecologist, LCSLO

Exempt Status:

- Ministerial;
- Declared Emergency;
- Emergency Project;
- Categorical Exemption. Type and section number: Section 15306, Class 6, and Section 15307, Class 7

Reasons why project is exempt: The Project consists of basic data collection and research activities to inform adaptive management strategies and aid recovery efforts of *Arenaria paludicola* and *Cirsium scariosum* var. *loncholepis*. The permit issued by the California Department of Fish and Wildlife for the Project includes measures to ensure that existing populations of *Arenaria paludicola* and *Cirsium scariosum* var. *loncholepis* are not impacted.

Lead Agency Contact Person: Joanne Heraty

Area Code/Telephone/ Extension: (916) 594-4574

Signature:  _____ **Date:** 2/1/2024
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Isabel Baer, Native Plant Program Manager

- Signed by Lead Agency Date Received for filing at OPR: _____