

## Notice of Exemption

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**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:** Study of the Effects of Clethodim Herbicide on Nipomo Mesa Lupine (*Lupinus nipomensis*) (Project), California Department of Fish and Wildlife Permit No. 2081(a)-19-017-RP

**Project Location:** The Project will take place at the Cheadle Center for Biodiversity and Ecological Restoration (CCBER) greenhouse and nursery on the University of California Santa Barbara campus in Santa Barbara County, California.

**Project Description:** The California Department of Fish and Wildlife is issuing a permit to CCBER pursuant to Fish and Game Code section 2081(a) for a project to determine the effects of clethodim, a monocot-specific herbicide, on Nipomo Mesa lupine. The Project will consist of two consecutive trials. Trial 1 will test the effects of an herbicide mixture on Nipomo Mesa lupine. If effects are observed on Nipomo Mesa lupine in Trial 1, a second trial (Trial 2) will be conducted to test each of the components of the herbicide mixture individually on Nipomo Mesa lupine. For Trial 1, Permittee will germinate 120 seedlings of Nipomo Mesa lupine from seeds stored at the CCBER facility. Propagated plants will be subject to different herbicide treatments during the seedling stage or the flowering stage. Treatments will be applied so they mimic both aerial broadcast application using larger droplets and ground application using a fine spray. The proposed brands for herbicide and adjuvants were selected because they are currently being used within the Nipomo-Guadalupe Dunes Complex to control perennial veldt grass in occupied Nipomo Mesa lupine habitat. These products include a clethodim based herbicide (Vaquero®), a modified vegetable oil-based surfactant (Renegade-EA®) and a drift management agent (Crosshair®). All plants will be grown to maturity and flowering, fruiting, and seed set will be documented. A subset of seeds from each treatment will be tested for viability. By combining Vaquero®, Renegade-EA®, and Crosshair® in the herbicide mixture, it will not be possible to determine which product is responsible for any negative effects that may occur. Therefore, if any negative effects are observed during Trial 1, the study will be repeated using each product individually during Trial 2. If negative effects are not observed during Trial 1, then Trial 2 will not be conducted. Should Trial 2 be necessary, an additional 280 plants will be germinated for herbicide treatment.

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

**Person or Agency Carrying Out Project:** Lisa Stratton, Director of Ecosystem Management, CCBER

**Exempt Status:**

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

**Reasons why project is exempt:** The Project consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. 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:** Cherylyn Burton

Area Code/Telephone/ Extension: (916) 376-8676

**Signature:** \_\_\_\_\_

*Isabel Baer, Native Plant Program Manager*

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

*January 22, 2020*

Signed by Lead Agency

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