

Notice of Exemption

To: Office of Land Use and Climate Innovation
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: Invasive Species Control for Soft Bird's-Beak Recovery (Project)

Project Location: The Project will take place in Solano County, specifically within the Southampton Bay Wetland Natural Preserve and adjacent upstream areas, all of which fall within the Benicia State Recreation Area (BSRA) (38.07361, -122.19312). This site is recognized as soft bird's-beak (*Chloropyron molle* ssp. *molle*) California Natural Diversity Database Element Occurrence 9. Treatment activities will take place within the tidal marsh restoration areas that support soft bird's-beak habitat.

Project Description: The California Department of Fish and Wildlife is issuing a Native Plant Protection Act scientific, educational, or management permit pursuant to Fish and Game Code section 2081, subdivision (a), and California Code of Regulations, Title 14, section 786.9, subdivision (c) to the California Department of Parks and Recreation (Permit No. 2081(a)-26-001-RP) for a project that will implement multi-year invasive weed treatments to reduce competition and promote recovery of soft bird's-beak. Marsh-wide surveys to map invasive weeds and soft bird's-beak distribution and abundance will be conducted prior to implementing any herbicide treatment activities annually. Rare plant and host community map data will be used to identify areas where weeds occur within a 1-meter radius of rare plants, recognized as "rare plant protection zones," where weed treatment is restricted to hand wicking/wiping with herbicide or manual removal only. Herbicide management will be limited to products currently approved for aquatic applications. Outside of the rare plant protection zones, herbicide will be applied using a backpack sprayer only. Additional target weed species determined to pose a high risk to marsh resources and/or revised treatment methods may be integrated through an adaptive management process. Treatment areas will be documented in ArcMap/GIS. Protocol-level surveys for special status avian and wildlife species in the marsh will be performed annually. Protection zones will be developed by the project team prior to herbicide treatment. Restrictions and avoidance measures to protect avian species will include exclusion from black rail habitat through the breeding season and daily avian surveys and assisted entry with a permitted, approved rail biologist for any weed treatment in Ridgway's rail habitat.

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

Person or Agency Carrying Out Project: Brandon Nguyen, Environmental Scientist, California State Parks- Diablo Range District

Exempt Status:

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

Reasons why project is exempt: The Project consists of experimental management and resource evaluation activities to enhance existing populations of the state-listed rare salt marsh bird's-beak. The permit issued by the California Department of Fish and Wildlife for the Project includes measures to ensure the existing population of salt marsh bird's-beak is adequately protected.

Lead Agency Contact Person: Joanne Heraty

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

Signature: 
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F8108E2E7AAB4C0
Isabel Baer, Habitat Conservation Planning Branch Manager

Date: 3/13/2026

Signed by Lead Agency

Date Received for filing at OPR: _____