

APPENDIX F
Coastal California Gnatcatcher
Protocol Survey Report

Coastal California Gnatcatcher Protocol Survey Report San Pasqual Undergrounding Project

July 2016

Prepared for:
City of Escondido
Vista Irrigation District
Bureau of Indian Affairs

Prepared by:

ATKINS

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Atkins Project No.: 10004195

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Abbreviations

BIA	U.S. Bureau of Indian Affairs
CAGN	coastal California gnatcatcher
CDFW	California Department of Fish and Wildlife
CNDDDB	California Natural Diversity Database
CSS	Coastal sage scrub
MBTA	Migratory Bird Treat Act
MSCP	Multiple Species Conservation Plan
NCCP	Natural Community Conservation Planning
ROW	right-of-way
RWQCB	Regional Water Quality Control Board
San Pasqual Band	San Pasqual Band of Mission Indians
U.S.	United States
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VID	Vista Irrigation District

1.0 Summary

Atkins conducted a coastal California gnatcatcher (CAGN) (*Polioptila californica californica*) protocol presence/absence survey in suitable coastal sage scrub (CSS) within the San Pasqual Undergrounding Project (proposed project) study area (Figure 1). Atkins' permitted biologist, Melissa Tu, conducted six surveys between March 21 and May 24, 2016 in accordance with the 1997 USFWS CAGN Survey Protocol (USFWS 1997). The 1997 Survey Protocol is included in Appendix A. No CAGN was observed within the study area. All surveys were in compliance with the U.S. Fish and Wildlife Service (USFWS) biologist's recovery permit. In addition, this report will be submitted to the USFWS.

2.0 Introduction

On behalf of the City of Escondido (Escondido), Vista Irrigation District (VID), and the Bureau of Indian Affairs (BIA), Atkins conducted a CAGN protocol presence/absence survey in suitable coastal sage scrub within the project area located in Valley Center and the San Pasqual Reservation in San Diego County (Figures 1 and 2).

2.1 Project Description

The proposed action is an integral component of the San Luis Rey Indian Water Rights Settlement Agreement (January 30, 2015) including the United States (acting through the Secretary of the Interior and the Attorney General of the United States); the La Jolla, Rincon, San Pasqual, Pauma, and Pala Bands of Mission Indians; the San Luis Rey Indian Water Authority; Escondido; and VID. The Settlement is authorized by the Act of November 30, 1988, Public Law 100-675, as amended.

The proposed project would remove, relocate, and restore about 2.5 miles of the Escondido Canal that crosses the San Pasqual Reservation (Figure 2). The proposed pipeline would run generally from north to south within the existing Escondido Canal right of way (ROW) and along existing roads, primarily North Canal Road, South Canal Road, North Lake Wohlford Road, and Paradise Mountain Road, to the extent feasible. The proposed pipeline would begin at the desilting basin northeast of North Canal Road and continue in a southwesterly direction and connect to the existing underground pipeline at a location south of Paradise Mountain Road. The proposed pipeline would include a 100-foot construction corridor (50 feet on each side of pipeline alignment) for the entire 2.5-mile length.



Canal with flowing water

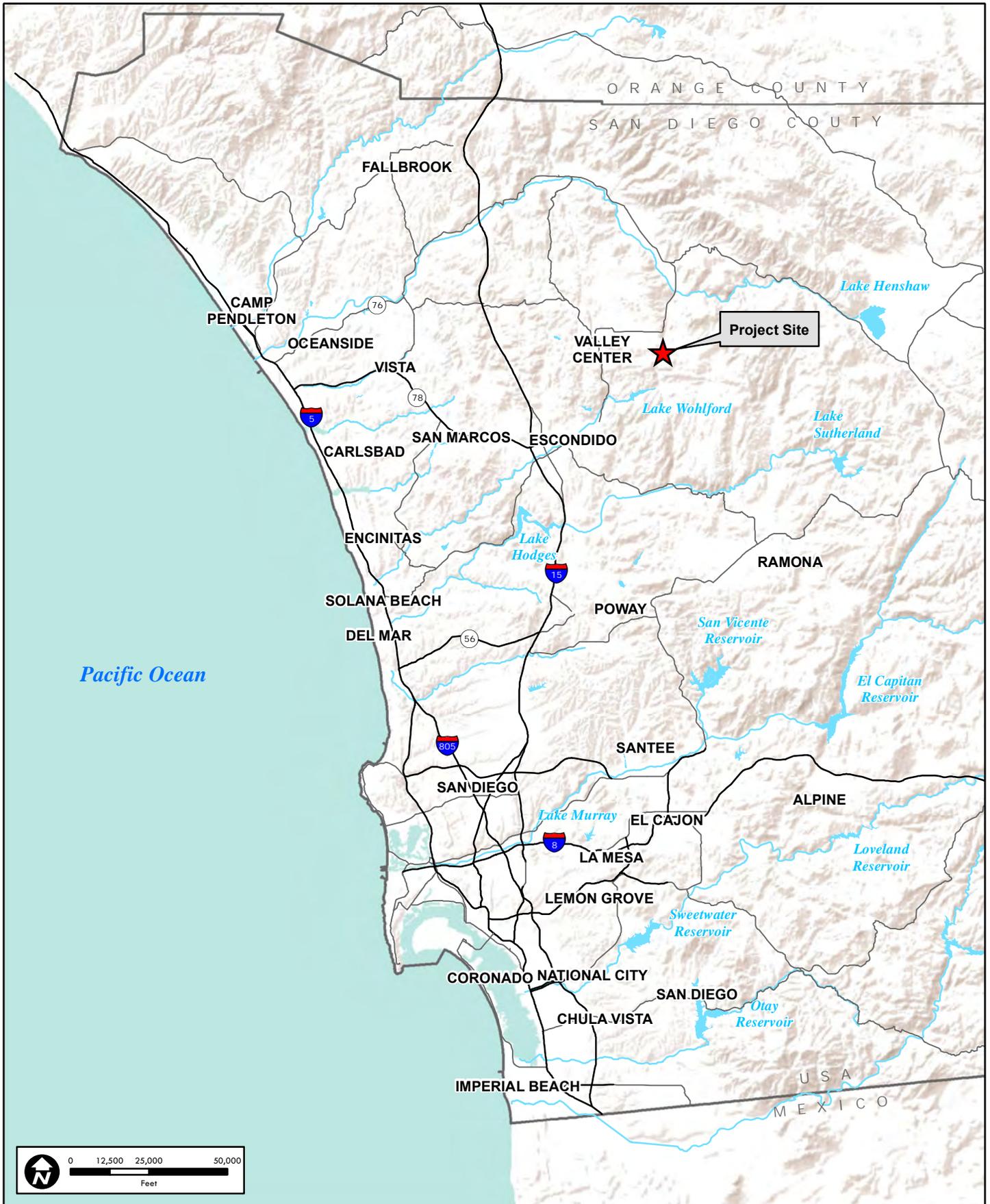
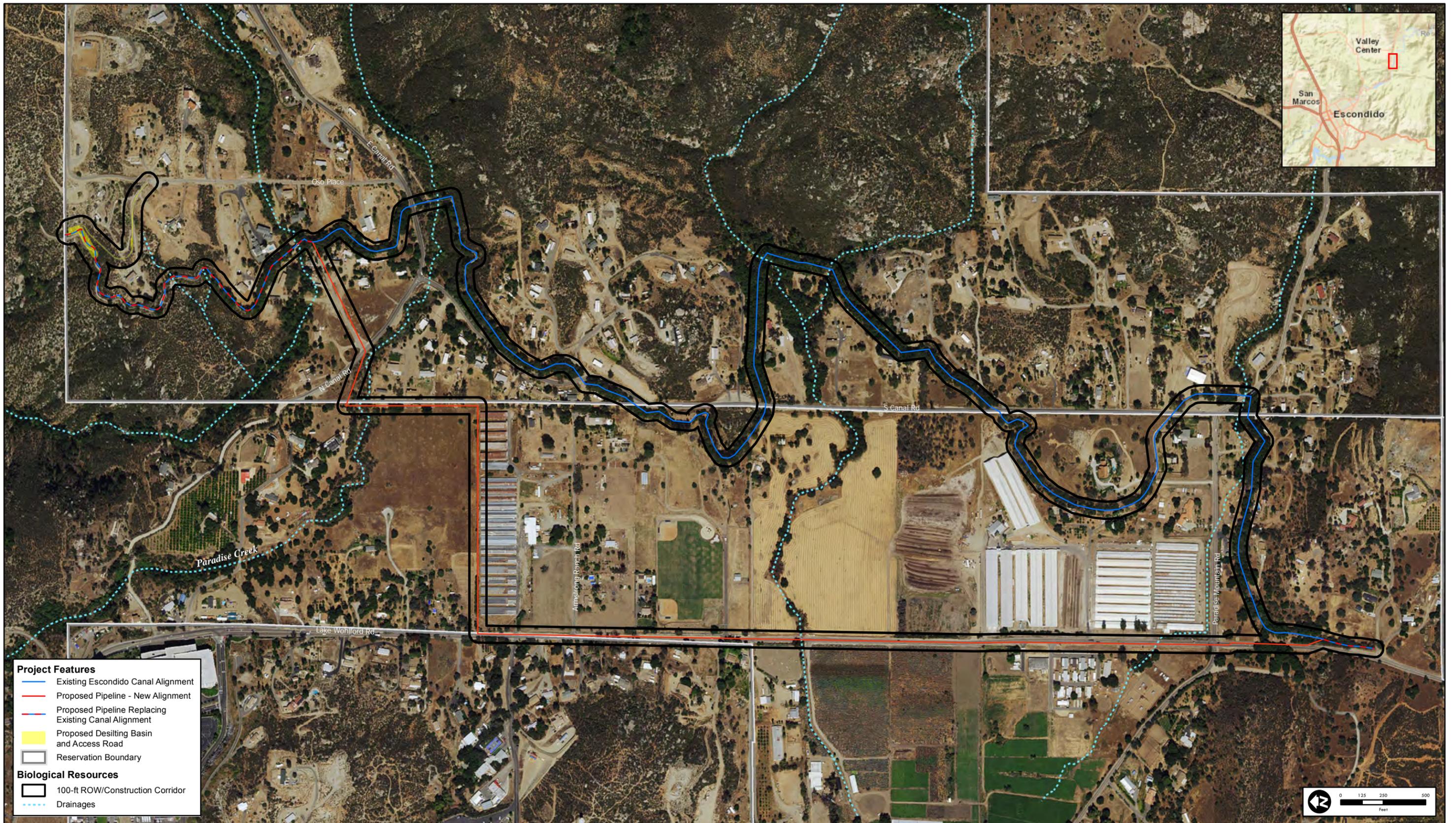


Figure 1
Regional Location





- Project Features**
- Existing Escondido Canal Alignment
 - Proposed Pipeline - New Alignment
 - Proposed Pipeline Replacing Existing Canal Alignment
 - Proposed Desilting Basin and Access Road
 - Reservation Boundary
- Biological Resources**
- 100-ft ROW/Construction Corridor
 - Drainages



Figure 2
Overview of the Proposed Project
 100049195 2016 San Pasqual Undergrounding Project

A desilting basin and access road would be constructed at the intersection of the proposed alignment and the existing canal to remove sediment from the canal water prior to discharge into the new underground pipeline. Two desilting basin options are presented on Figure 2.

The proposed action includes reclamation of the land occupied by the replaced canal by means of demolition, grading, restoration/revegetation, and any associated mitigation of environmental impacts that may be required.

2.2 Project Location

The study area is located on the San Pasqual Reservation and on San Diego County land in the community of Valley Center, approximately 5 miles northeast of Escondido (Figure 1). This location corresponds to Sections 15 and 22 in Township 11 South, Range 1 West of the Rodriguez Mountains U.S. Geological Survey (USGS) 7.5-minute topographic quadrangles.

The study area is located within USGS Hydrological Unit Code 18070303 named San Luis Rey-Escondido watershed (EPA 2014).

3.0 Existing Conditions

The study area currently consists of Lake Wohlford Road, South Canal Road, an unnamed dirt road, Escondido Canal, San Diego County and San Pasqual Reservation developed and undeveloped land, and San Diego North County Multiple Species Conservation Plan (MSCP) Preserve land (Hellhole Canyon). The County is currently developing additional MSCP Plans for the North County and East County areas. The Draft North County Plan is a stand-alone habitat conservation program for unincorporated lands under the County of San Diego's jurisdiction in the northwestern part of the county, from the coast eastward to Ramona and the western flanks of Palomar Mountain. It is intended to create a 107,000-acre regional preserve system in northern San Diego County. Included are general measures and recommendations for managing plant communities and specific habitats for over 60 species. Surrounding lands are a combination of residential and agricultural land. This location corresponds to the South Coast Subregion of the California Floristic Province (Baldwin et al. 2012).

Habitat occurring within the study area includes coast live oak woodland, Engelmann oak woodland, southern willow scrub, coastal sage scrub (CSS), southern mixed chaparral, eucalyptus woodland, non-native grassland, disturbed, agricultural, and ornamental (Oberbauer et al. 2008).

The elevation of the study area is approximately 1,600 to 1,700 feet above mean sea level. Topography in the vicinity of the study area is characterized as uplands and low hills. Local terrain within the study area consists of generally flat to slightly sloping upland.

San Diego County has a Mediterranean climate with cool, wet winters and warm, dry summers. The average total precipitation in Escondido is 14.98 inches. Rainfall is the heaviest between January and March with precipitation ranging 2.64 to 3.43 inches per month. Rain is infrequent during summer months, with precipitation ranging 0.08 to 0.20 inch.

The average annual temperature is approximately 65 degrees Fahrenheit for Escondido. Normal summer temperatures range from 58 to 89 degrees Fahrenheit and winter temperatures range from 42 to 74 degrees Fahrenheit.

4.0 Background Information

4.1 Listing and Regulatory

The USFWS designated the CAGN as threatened on 30 March 1993 (USFWS 1993). At the time, the CAGN was given federal protection as a threatened species; the U.S. Secretary of Interior issued a Special Rule designed to empower a habitat-oriented conservation planning law enacted by the State of California Natural Community Conservation Planning (NCCP) process (USFWS 1993). The objectives of the NCCP program involve working with local governments and landowners to identify and protect habitat in sufficient amounts and distribution that will enable long-term conservation of the CSS community, as well as other sensitive habitat types (USFWS 2007).

The USFWS designated critical habitat for the CAGN in 2000 in the southern California ecoregion (USFWS 2000). On April 24, 2003, the USFWS revised the CAGN critical habitat (USFWS 2003). On December 19, 2007, the USFWS designated revised final critical habitat for the CAGN (USFWS 2007).

No critical habitat occurs within the study area. The nearest critical habitat to the study area is presented on Figure 3 and is approximately 3 miles southwest of the study area near Lake Wohlford.

4.2 Natural History

The CAGN is a small gray long-tailed songbird that occurs almost exclusively in the CSS vegetation, but can also be found in chaparral and riparian habitats. The bird's plumage is dark, blue-gray above and grayish-white below. The tail is mostly black above and below. The male has a distinctive black cap, which is absent during the winter. Both sexes have a distinctive white eye-ring (USFWS 1993).

The CAGN is most numerous in low, dense CSS habitat in arid washes, on mesas, and on slopes of coastal hills. California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), and sages (*Salvia* spp.) are particularly favored for roosting, nesting, and foraging (Holland 1986).

This non-migratory bird is restricted to California and Baja California, Mexico. Within California, this subspecies ranges from Ventura County south to San Diego County and east to San Bernardino County. The breeding season extends from February 15 through August 31, with peak nesting activities occurring from mid-March through May, as identified by the USFWS Carlsbad office. CAGN usually begin to molt into breeding plumage in early February (USFWS 1997).

Males primarily select the site for nesting, and nest building begins two to four weeks after the molt. Eggs are incubated for 12 days, and nestlings fledge at 13 days. Young remain with their parents for three to five weeks after fledging. If there is persistent predation of eggs and young, up to 10 nests can be constructed during the breeding season (Preston et. al. 1998).

As its common name implies, the CAGN preys upon arthropods, including Orthoptera, Coleoptera, Homoptera, Hymenoptera, Lepidoptera (larva) and Arachnids (Mock 2004).

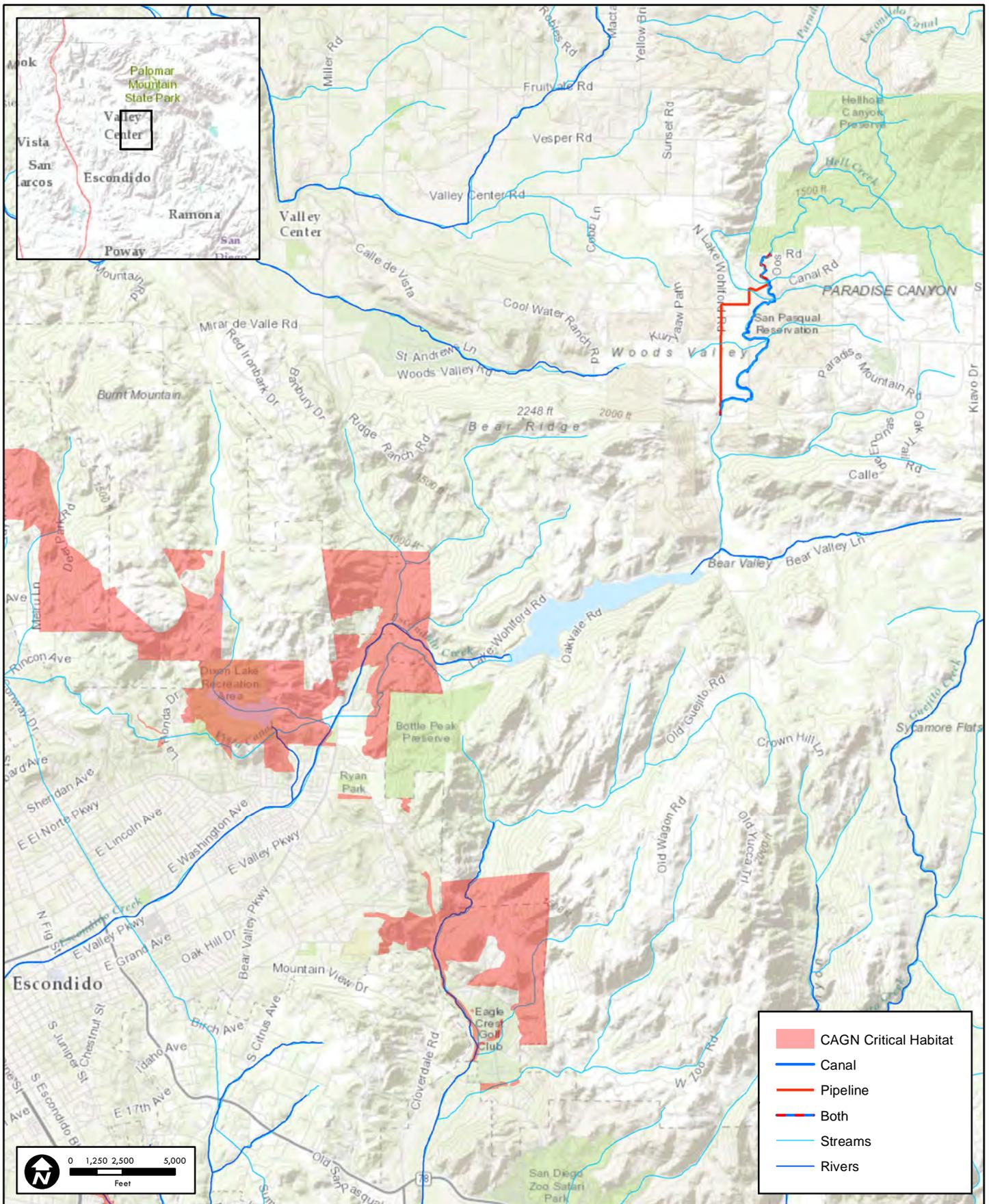


Figure 3
California Gnatcatcher Critical Habitat

5.0 Methods

The CAGN surveys followed the 1997 USFWS CAGN Presence/Absence Survey Guidelines (Appendix A) (USFWS 1997).

Prior to surveys, Atkins biologists searched existing literature, websites, USFWS CAGN Critical habitat maps (USFWS 2007), California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) (CDFW 2016), and eBird (eBird 2016) for CAGN observations in or near the study area.

Suitable CAGN habitat was evaluated and mapped during initial biological surveys and vegetation mapping in February 2016. Prior to conducting surveys, the required notice of intent to conduct surveys was sent to the USFWS. The Notice of Intent was submitted on March 1, 2016 (Appendix A).

Six surveys at least one week apart were conducted during the breeding season, March 15 through June 30. Surveys were conducted between 6:00 a.m. and 12:00 p.m. Surveys avoided periods of excessive or abnormal heat, wind, rain, fog, or other inclement weather. Surveys were conducted by slowly walking survey routes through suitable habitat (USFWS 1997). Taped CAGN vocalizations were used appropriately.

6.0 Results and Discussion

Investigations were initiated in February 2016, to identify suitable CAGN habitat in the study area. Potential CAGN habitat was evaluated in the northern portion of the study area; however, the area was dominated by mixed chaparral which did not constitute suitable habitat for the CAGN. The habitat was not surveyed for CAGN in that location. The CSS along Escondido Canal and an adjacent CSS patch within 500 feet of the study area were identified as suitable habitat for the CAGN, and surveyed for presence/absence of the CAGN (Figure 4).

A description of CSS habitat identified as suitable habitat for the CAGN is provided below.

CSS is dominated by subshrubs that can withstand the prolonged drought period in the summer and fall in areas of low precipitation. This habitat type occupies xeric sites characterized by shallow soils. Coastal sage scrub may be dominated by a variety of species depending upon soil type, slope, and aspect. Dominant CSS species found within the survey area include California sagebrush, California buckwheat, laurel sumac (*Malosma laurina*), deerweed (*Acmispon glaber*), and black sage (*Salvia mellifera*).

The CSS within the survey area consists of a small high quality patch surrounded by Escondido Canal on the north, south, and west, and South Canal Road on the east. Gum trees (*Eucalyptus* spp.) dominated the northwest side of the canal and coast live oaks (*Quercus agrifolia*) dominated the southwest side of the canal. The protocol surveys were conducted by USFWS permitted biologist Melissa Tu and a field technician.



Figure 4
California Gnatcatcher Suitable Habitat

Table 1 provides the survey dates and environmental conditions for the six surveys from March 21 to May 24, 2016.

Table 1 2016 Coastal California Gnatcatcher Protocol Surveys							
Survey	Date	Start	Stop	Temperature (°F)	Cloud Cover (%)	Wind speed (mph)	Valid
1	3/21/2016	830	1000	63-65	20-20	0-3	Yes
2	4/11/2016	1100	1200	61-63	100-100	0-3	Yes
3	4/21/2016	1030	1115	73-77	25-45	0-3	Yes
4	5/2/2016	1045	1145	72-75	30-30	0-3	Yes
5	5/12/2016	1110	1200	75-79	0-0	0-3	Yes
6	5/24/2016	1100	1145	61-63	80-80	0-3	Yes

No CAGN was observed during the surveys. Table 2 provides a list of birds and other wildlife species observed in the project area.

Table 2 Animal Species Observed	
Scientific Name	Common Name
AMPHIBIANS	
Hylidae <i>Pseudacris hypochondriaca</i>	Treefrogs Baja California chorus frog
REPTILES	
Phrynosomatidae <i>Sceloporus occidentalis longipes</i> <i>Uta stansburiana elegans</i>	Lizards Great Basin fence lizard California side-blotched lizard
Teiidae <i>Aspidoscelis hyperythra beldingi</i>	Whiptails and Racerunners Orange-throated whiptail (SSC)
Viperidae <i>Crotalus oreganus helleri</i>	Vipers Southern Pacific rattlesnake
BIRDS	
Accipitridae <i>Accipiter cooperii</i> <i>Buteo jamaicensis</i> <i>Buteo lineatus</i>	Hawks Coopers' hawk red-tailed hawk red-shouldered hawk
Aegithalidae <i>Psaltriparus minimus</i>	Bushtits bushtit
Apodidae <i>Aeronautes saxatalis</i>	Swallows white-throated swift
Ardeidae <i>Bubulcus ibis</i>	Herons Cattle egret
Bombycillidae <i>Bombycilla cedrorum</i>	Waxwings cedar waxwing
Cardinalidae <i>Pheucticus melanocephalus</i> <i>Piranga ludoviciana</i>	Cardinals black-headed grosbeak Western tanager
Cathartidae <i>Cathartes aura</i>	Buzzards Turkey vulture
Columbidae <i>Streptopelia decaocto</i> <i>Zenaida macroura</i>	Pigeons Eurasian collared dove mourning dove

Table 2 Animal Species Observed

Scientific Name	Common Name
Corvidae <i>Aphelocoma californica</i> <i>Corvus brachyrhynchos</i> <i>Corvus corax</i>	Jays and Crows western scrub-jay American crow common raven
Emberizidae <i>Chondestes grammacus</i> <i>Junco hyemalis</i> <i>Melospiza melodia</i> <i>Pipilo crissalis</i> <i>Pipilo maculatus</i> <i>Zonotrichia leucophrys</i>	Passerines lark sparrow dark-eyed junco song sparrow California towhee spotted towhee white-crowned sparrow
Falconidae <i>Falco sparverius</i>	Falcons American kestrel
Fringillidae <i>Carduelis psaltria</i> <i>Carpodacus mexicanus</i>	Finches lesser goldfinch house finch
Icteridae <i>Euphagus cyanocephalus</i> <i>Icterus bullockii</i> <i>Icterus cucullatus</i> <i>Molothrus ater</i>	Orioles, Blackbirds, and Cowbirds Brewer's blackbird Bullock's oriole Hooded oriole brown-headed cowbird
Mimidae <i>Mimus polyglottos</i> <i>Toxostoma redivivum</i>	Mockingbirds and Thrashers northern mockingbird California thrasher
Odontophoridae <i>Callipepla californica</i>	Quails California quail
Paridae <i>Baeolophus inornatus</i>	Tits, Chickadees, and Titmice oak titmouse
Parulidae <i>Dendroica coronata</i>	New World Warblers yellow-rumped warbler
Passeridae <i>Passer domesticus</i>	Old World Sparrows house sparrow*
Picidae <i>Colaptes auratus</i> <i>Melanerpes formicivorus</i> <i>Picoides nuttallii</i>	Woodpeckers Northern flicker acorn woodpecker Nuttall's woodpecker
Poliophtilidae <i>Poliophtila caerulea</i>	Gnatcatchers blue-gray gnatcatcher
Ptiliogonatidae <i>Phainopepla nitens</i>	Silky Flycatchers Phainopepla
Regulidae <i>Regulus calendula</i>	Kinglets ruby-crowned kinglet
Sittidae <i>Sitta carolinensis</i>	Nuthatches white-breasted nuthatch
Sturnidae <i>Sturnus vulgaris</i>	Starlings European starling*
Sylviidae <i>Chamaea fasciata</i>	Old World Warblers wren
Trochilidae <i>Calypte anna</i> <i>Calypte costae</i>	Hummingbirds Anna's hummingbird Costa's hummingbird

Table 2 Animal Species Observed

Scientific Name	Common Name
Troglodytidae <i>Thryomanes bewickii</i>	Wrens Bewick's wren
Turdidae <i>Sialia mexicana</i> <i>Turdus migratorius</i>	Thrushes western bluebird American robin
Tyrannidae <i>Myiarchus cinerascens</i> <i>Sayornis nigricans</i> <i>Sayornis saya</i> <i>Tyrannus verticalis</i> <i>Tyrannus vociferans</i>	Tyrant Flycatchers ash-throated flycatcher black phoebe Say's phoebe western kingbird Cassin's kingbird
Vireonidae <i>Vireo huttoni</i>	Vireos Hutton's vireo
MAMMALS	
Cervidae <i>Odocoileus hemionus fuliginata</i>	Hoofed southern mule deer
Canidae <i>Canis latrans</i>	Dogs coyote
Felidae <i>Felis rufus</i>	Cats bobcat
Procyonidae <i>Procyon lotor psora</i>	Raccoons raccoon
Leporidae <i>Sylvilagus audubonii</i>	Hares and Rabbits desert (Audubon) cottontail
Muridae <i>Neotoma sp.</i>	Mice and Rats woodrat
Sciuridae <i>Otospermophilus beecheyi nudipes</i>	Squirrels California ground squirrel
*Non-native species	

Dominant species in the CSS included lesser goldfinch (*Carduelis psaltria*), California thrasher (*Toxostoma redivivum*), California towhee (*Pipilo crissalis*), and bushtits (*Psaltriparus minimus*). American crow (*Corvus brachyrhynchos*) and western scrub jay (*Aphelocoma californica*), nest predators, were common in the area. Dominant species in the oak woodland and gum trees surrounding the CSS included acorn woodpeckers (*Melanerpes formicivorus*), western kingbird (*Tyrannus verticalis*), and oak titmouse (*Baeolophus inornatus*).

The CSS habitat in the survey area is unlikely to support CAGN due to the:

- small size, 1.25 acres,
- isolation from larger CSS habitat, and
- distance from documented CAGN breeding habitat.

The CSS is surrounded by trees and woodlands which provide high quality habitat for avian predators and nest predators observed in the survey area. The closest shrub habitat is approximately 500 feet away but it is southern mixed chaparral dominated by chamise (*Adenostoma fasciculatum*).

The CSS patch within the survey area is isolated from CAGN occupied habitat. CAGN were documented in Hellhole Canyon and Valley Center approximately 2 miles north of the study area in April and December 2014 (CDFW 2016, eBird 2016).

7.0 Conclusion and Recommendations

Surveys conducted from March 21 through May 24, 2016 were negative; therefore, there are currently no limitations within the study area for the CAGN. These survey results are valid for approximately one year. Since results are valid for one year, no further CAGN surveys should be required prior to May 2017.

If construction occurs after May 2017, a CAGN presence/absence survey should be conducted.

Construction also needs to be in compliance with the Migratory Bird Treaty Act (MBTA). A qualified avian nest monitor would need to survey for MBTA protected nests during any construction conducted during the avian breeding season (most bird species in San Diego are protected by the MBTA). Three surveys seven days prior to construction are recommended prior to construction.

8.0 References

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APPENDIX A
USFWS Survey Notification
USFWS 1997 Protocol

USFWS Survey Notification



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March 1, 2015

Ms. Stacey Love
Recovery Permit Coordinator
Carlsbad Fish & Wildlife Office
2177 Salk Avenue, Ste. 250
Carlsbad, CA 92008

Subject: 15-day Notification for 2016 Coastal California Gnatcatcher Protocol Surveys for San Pasqual Undergrounding Project on San Pasqual Indian Reservation and in Valley Center, San Diego County, California

Dear Ms. Love:

Under contract with City of Escondido and Vista Irrigation District, via Atkins, Melissa Mersy Tu (permit# TE-64138A-0), hereby provides notification to conduct protocol coastal California gnatcatcher surveys (six total) in support of the Environmental Assessment for the Construction and Operation of an underground water pipeline. Permitted Biologist Brian Lohstroh will also conduct protocol surveys.

The surveys will occur in suitable coastal sage scrub habitat, less than 35 acres, along Escondido Canal and the proposed pipeline alignment (refer to Figure 1) and a 500 foot buffer (refer to Quadrangle map).

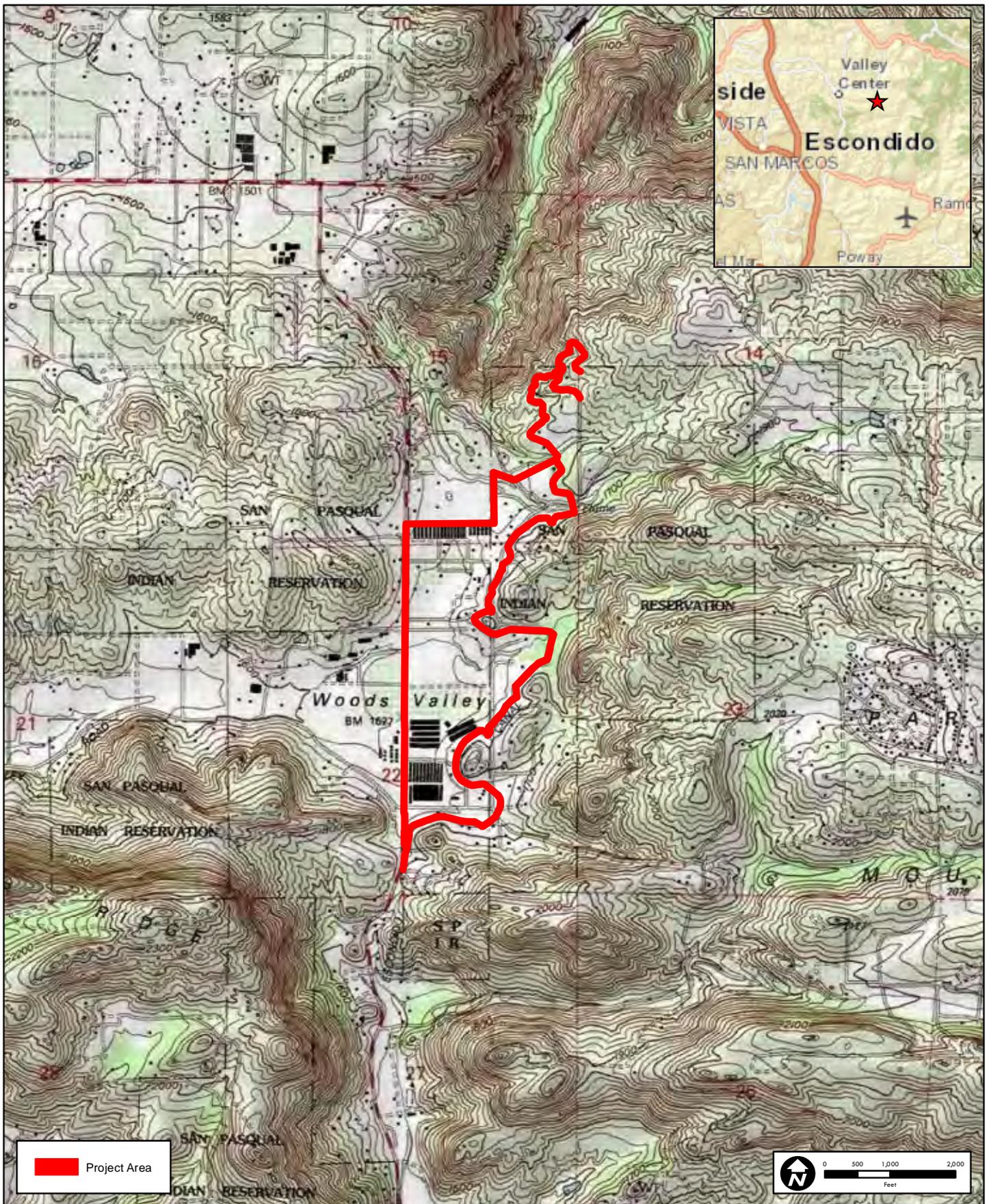
The surveys will begin after 15 March 2016 and continue through the breeding season. If you have any questions please contact me at 858.514.1028 or at melisa.tu@atkinsglobal.com.

Sincerely,

A handwritten signature in black ink that reads "Melissa Tu". The signature is written in a cursive, flowing style.

Melissa Mersy Tu
Senior Biologist
Permit #: TE-64138A-0

Attachments: USGS Quadrangle Map
Figure 1



USFWS 1997 Protocol

Coastal California Gnatcatcher (*Polioptila californica californica*)
Presence/Absence Survey Guidelines
February 28, 1997

The coastal California gnatcatcher (*Polioptila californica californica*) was listed as threatened on March 25, 1993, under the Endangered Species Act of 1973, as amended (Act). The final rule for this action was published in the Federal Register on March 30, 1993 (58 Federal Register 16742). On December 10, 1993, pursuant to section 4(d) of the Act, the U.S. Fish and Wildlife Service (Service) defined specific conditions associated with certain land use activities under which incidental take of coastal California gnatcatchers and their habitat would not be a violation of section 9 of the Act (58 Federal Register 65088).

The coastal California gnatcatcher, a small gray songbird, is a resident of scrub dominated plant communities from southern Ventura County southward through Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties, California into Baja California, Mexico, to approximately 30 degrees North latitude near El Rosario (American Ornithologists' Union 1957; Atwood 1980, 1990; Jones and Ramirez 1995). The coastal California gnatcatcher is strongly associated with sage scrub in its various successional stages.

The majority of plant species found in sage scrub are low-growing, drought-deciduous shrubs and sub-shrubs, including California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), and sages (*Salvia mellifera*, *S. apiana*) (Holland 1986, Sawyer and Keeler-Wolf 1995). Other commonly occurring species include lemonadeberry (*Rhus integrifolia*), coast goldenbush (*Isocoma menziesii*), laurel sumac (*Malosma laurina*), boxthorn (*Lycium* spp.), cliff spurge (*Euphorbia misera*), and jojoba (*Simmondsia chinensis*). Succulent species, such as cacti (*Opuntia littoralis*, *O. prolifera*, *Ferocactus viridescens*), and *Dudleya* spp. are represented in maritime succulent and southern coastal bluff scrubs. Sage scrub often occurs in a patchy, or mosaic, distribution pattern throughout the range of the coastal California gnatcatcher. Coastal California gnatcatchers also use chaparral, grassland, and riparian plant communities where they occur adjacent to or intermixed with sage scrub. Although existing quantitative data may reveal relatively little about coastal California gnatcatcher use of these other habitats, these areas may be critical during certain times of year for dispersal or as foraging areas during inclement conditions (e.g., drought). Breeding territories also have been documented in non-sage scrub habitat (e.g., chaparral and grassland/ruderal habitat).

The breeding season of the coastal California gnatcatcher extends from about February 15 through August 30, with the peak of nesting activity occurring from mid-March through mid-May. Incubation takes 14 days. The young fledge at 8 to 13 days of age and are dependent upon their parents for as little as three to four weeks (ERCE 1990), but fledglings may associate with their parents for several months.

This protocol is based on the best available scientific information regarding the detectability of the coastal California gnatcatcher and is subject to change pending receipt of additional pertinent scientific data. Information used to create this protocol included: Braden and Woulfe (1995a, 1995b), Brussard *et al.* (1992), Mock *et al.* (1990), and other unpublished information in the Service files.

The following protocol is issued as guidance to section 10(a)(1)(A) permittees. A section 10(a)(1)(A) permit under the Act shall be obtained prior to initiating any field surveys. Any surveys not conducted under a valid 10(a)(1)(A) permit will not be accepted by the Service. Failure to obtain a scientific permit prior to survey work may result in violation(s) of section 9 of the Act.

- I. Coastal California gnatcatcher surveys shall be completed by permitted biologists if proposed projects contain coastal sage scrub, alluvial fan scrub, chaparral, or intermixed or adjacent areas of grassland and riparian habitats, and is located within the range of this species. The protocol should be followed for all surveys unless otherwise authorized by the Service in writing.

II. The permittee shall notify the appropriate Service Fish and Wildlife Office in writing, at least ten (10) working days prior to the anticipated start date of survey work and receive approval prior to beginning work. The Ventura Fish and Wildlife Office (2493 Portola Road, Suite B, Ventura, California 93003, Tel: 805/644-1766, FAX 805/644-3958) shall be notified for all work in Ventura County and in the areas north and west of the San Gabriel Mountains in Los Angeles County. The Carlsbad Fish and Wildlife Office (2730 Loker Avenue West, Carlsbad, California 92008, Tel: 619/431-9440, FAX 619/431-9624) shall be notified for all work south of the above areas.

III. Jurisdictions participating in the NCCP interim section 4(d) process:

The number of surveys conducted within active NCCP areas is based on the prior recommended guidelines and the fact that, through the interim section 4(d) process, loss of coastal sage scrub requires mitigation on a habitat basis, regardless of whether habitat is occupied by coastal California gnatcatchers.

- From February 15 and August 30, a minimum of **three (3)** surveys shall be conducted at least one week apart, to determine presence/absence of coastal California gnatcatchers. Whenever possible, additional surveys should be conducted. Any deviation from this protocol will require concurrence from the Service.

IV. All other jurisdictions:

Breeding and non-breeding season survey protocol for presence/absence of coastal California gnatcatchers in non-NCCP areas are as follows:

- From March 15 through June 30, a minimum of **six (6)** surveys shall be conducted at least one week apart. The protocol for the breeding season was designed to provide a 95% confidence level of detecting coastal California gnatcatchers at a site when they are present.
- From July 1 through March 14, a minimum of **nine (9)** surveys shall be conducted at least two weeks apart.

V. Surveys shall be conducted between 6:00 a.m. and 12:00 p.m. Surveys shall avoid periods of excessive or abnormal heat, wind, rain, fog, or other inclement weather.

VI. Taped coastal California gnatcatcher vocalizations shall be used only until individuals have been initially located. Tapes shall not be used frequently or to elicit further behaviors from the birds.

VII. Surveys shall be conducted by slowly walking survey routes. Sites with deep canyons, ridge lines, steep terrain, and thick shrub cover should be surveyed more slowly. Prevailing site conditions and professional judgment must be applied to determine appropriate survey rates and acreage covered per day. These factors may dictate that the maximum daily coverage specified below is not prudent under certain conditions.

Jurisdictions participating in the NCCP interim section 4(d) process:

- No more than 100 acres (40 ha) shall be surveyed per biologist per day.

All other jurisdictions:

- No more than 80 acres (32 ha) shall be surveyed per biologist per day.
- VIII. No attempts shall be made to closely approach or examine coastal California gnatcatcher nests unless authorized by Service permits.
- IX. The permittee shall provide the following information in a report to the appropriate Service Fish and Wildlife Office, described above, and the California Department of Fish and Game within 45 days following the field surveys.
- A. The location of the survey area delineated on a 7.5 minute U.S. Geological Survey topographic map at 1:24,000 and 1:200 scale.
 - B. Names of all biologists and associated personnel with reference to their section 10(a)(1)(A) permit number. A complete description of survey methods, including, the number of acres surveyed per biologist per hour and how many total acres surveyed per day per biologist, the number and dates of surveys, start and stop time of surveys, survey routes delineated on maps, the temperature and weather conditions at the beginning and end of each survey, and how frequently taped vocalizations were used.
 - C. Written and mapped qualitative descriptions of plant communities (including dominant species and habitat quality) on and adjacent to the area surveyed.
 - D. The number, age (adult, independent juvenile, dependent juvenile, recently fledged juvenile, nestling, unknown), sex of all coastal California gnatcatchers, and color band information (from top to bottom and from left to right) if any. These data also shall be plotted on 1:24,000 and 1:200 scale maps of the survey area.
 - E. Copies of all reports or other documents that include information gathered under the authority of Service permits (e.g., reports for clients prepared by consulting firm) shall be submitted to the appropriate Service Fish and Wildlife Office immediately upon completion. Raw/field data, notes, and other information resulting from work conducted under this permit shall be submitted to the Service immediately upon request.

This protocol was prepared by the Service's Carlsbad Fish and Wildlife Office, 2730 Loker Avenue West, Carlsbad, California 92008. If you have any questions regarding the development of this protocol please call 619/431-9440.

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