

August 8, 2019

Ms. Stacey Love  
Recovery Permit Coordinator  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008

VIA EMAIL  
stacey\_love@fws.gov

Subject: Results of Focused Presence/Absence Coastal California Gnatcatcher Surveys for the Veterans Memorial Park Project, Orange County, California

Dear Ms. Love:

This Letter Report presents the results of focused surveys for the coastal California gnatcatcher (*Poliophtila californica californica*) for the Veterans Memorial Park Project (hereinafter referred to as the “project site”) located in the City of Carlsbad, San Diego County, California (Exhibit 1). The purpose of the surveys was to determine the presence or absence of the coastal California gnatcatcher (CAGN) on the project site. Surveys were conducted by a Biologist who holds the required Federal Endangered Species Act survey permits according to guidelines established by the U.S. Fish and Wildlife Service (USFWS). Notification of the intent to conduct protocol-level surveys was submitted to the USFWS on April 8, 2019.

## PROJECT LOCATION AND DESCRIPTION

The project site is located within the City of Carlsbad, San Diego County, California (Exhibit 1). The site encompasses approximately 92 acres along the coastal foothills of the San Marcos Mountains and, specifically, includes portions of Section 15 and Section 16, T 12S/R 04W, as depicted on the San Luis Rey, California 7.5-minute series United States Geological Survey (USGS) topographic map (Exhibit 2). Project site elevation ranges from approximately 52 to 326 feet above mean sea level (msl).

A total of nine vegetation types and other areas are present on the project site, including non-native grassland, Diegan coastal sage scrub, coastal sage scrub–chaparral scrub, southern maritime chaparral, oak woodland, Eucalyptus woodland, riparian scrub, disturbed land, and urban/developed (Exhibit 3). Vegetation surveys of the project site identified approximately 47.26 acres of suitable coastal sage scrub habitats on the project site (i.e. Diegan coastal sage scrub and coastal sage scrub–chaparral scrub). The Diegan coastal sage scrub occurs in patches throughout the project site. This vegetation type is dominated by a mix of low-growing, drought-deciduous shrubs including California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), black sage (*Salvia mellifera*), coyote brush (*Baccharis pilularis*), and coast prickly-pear (*Opuntia littoralis*). The shrub canopy is open to continuous. Understory vegetation, where present, include species such as needlegrass (*Stipa* sp.), soap plant (*Chlorogalum* sp.), chilicothe (*Marah macrocarpa*), tarweed (*Deinandra* sp.), and cryptantha. Some areas of Diegan coastal sage scrub on the project site are degraded by the presence of non-native vegetation. Coastal sage scrub–chaparral scrub occurs on the steeper slopes and canyons in the eastern portion of the project site. This vegetation type is

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dominated by lemonade berry (*Rhus integrifolia*) and laurel sumac (*Malosma laurina*), intermixed with California sagebrush, California buckwheat, black sage, and California Adolphia (*Adolphia californica*).

## BACKGROUND

The coastal California gnatcatcher is a federally listed Threatened species and a California Species of Special Concern. This subspecies occurs in most of the arid regions of Baja California, Mexico, but is extremely localized in the United States, where it predominantly occurs in coastal regions of highly urbanized Los Angeles, Orange, Riverside, and San Diego Counties (Atwood 1992). In California, this subspecies is an obligate resident of coastal sage scrub vegetation types. The breeding season for the coastal California gnatcatcher ranges from mid-March to the end of June. Nests are generally located in various materials in sagebrush about 3 feet above ground. Brood parasitism by brown-headed cowbirds (*Molothrus ater*) and loss of habitat to urban development have been cited as causes of the coastal California gnatcatcher population's decline (Unitt 1984; Atwood 1990).

Taxonomic studies indicate that the California gnatcatcher consists of four subspecies that extend from southwestern California to southern Baja California, Mexico (Atwood and Lerman 2006; Mellink and Rea 1994). The coastal California gnatcatcher, the northernmost gnatcatcher subspecies, is restricted to lowland areas from central Ventura County through Los Angeles, San Bernardino, Riverside, Orange, and San Diego Counties to the Baja California, Mexico border (Atwood and Lerman 2006; Mellink and Rea 1994). Formerly, the coastal California gnatcatcher was common from the San Fernando Valley eastward along the base of the San Gabriel Mountains to Claremont (Atwood 1990). It is now rare in the northern part of this range, with only a handful of sightings from Santa Clarita to Tujunga Wash, though a small population persists near the City of Moorpark in Ventura County.

The coastal California gnatcatcher has been recorded from sea level to approximately 3,000 feet above msl (USFWS 2003); however, more than 90 percent of gnatcatcher records are from between sea level and 820 feet above msl along the coast and between sea level and 1,800 feet above msl inland (Atwood and Bolsinger 1992). The USFWS estimates that there are about 3,000 coastal California gnatcatcher pairs in Southern California (Atwood and Bontrager 2001). In the *5-Year Review: Summary and Evaluation* of the gnatcatcher, the USFWS states that a recent study (Winchell and Doherty 2008) estimated that there were approximately 1,324 gnatcatcher pairs over approximately 111,000 acres on public and quasi-public lands in Orange and San Diego Counties. Because the Winchell and Doherty study only covered a portion of the U.S. range (focusing on the coast and limited to one year), this study cannot extrapolate beyond the sampling region; however, the USFWS states that it is likely more gnatcatchers are in the U.S. portion of the range than was suggested by earlier estimates (USFWS 2010).

The coastal California gnatcatcher typically occurs in coastal and inland sage scrub vegetation types. Sage scrub often occurs in a patchy distribution pattern throughout the range of the gnatcatcher. Coastal California gnatcatchers also use chaparral, grassland, and riparian habitats that are near sage scrub. These non-sage scrub habitats are used for dispersal and foraging (Atwood et al. 1998; Campbell et al. 1998; USFWS 2003). Availability of these non-sage scrub areas is essential during certain times of the year, particularly during drought conditions or for dispersal, foraging, or nesting (USFWS 2003).

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The USFWS published a Revised Final Rule designating Critical Habitat for the coastal California gnatcatcher in 2007. This Revised Rule designates 197,303 acres of Critical Habitat in San Diego, Orange, Riverside, San Bernardino, Los Angeles, and Ventura Counties, California (USFWS 2007). The survey area is located within the designated Critical Habitat area for this species (Exhibit 4).

## **SURVEY METHODOLOGY**

Surveys for the coastal California gnatcatcher were conducted in accordance with the guidelines issued by the USFWS (USFWS 1997a, 1997b). These guidelines stipulate that, for areas participating in a Natural Communities Conservation Planning Program/Habitat Conservation Plan (NCCP/HCP), three surveys must be conducted in suitable habitats with at least one week between site visits; the surveys can be conducted year-round. All visits must take place during the morning hours, and no more than 100 acres of suitable habitat may be surveyed per visit. Psomas Senior Biologist Lindsay Messett (USFWS Permit No. PRT-067064-3) conducted all three focused surveys on the project site and was assisted by Psomas Biologist Sarah Thomas on two of the three focused surveys. Surveys were conducted on May 8, 29 and June 27, 2019. The survey area covered all potentially suitable coastal sage scrub habitats for the coastal California gnatcatcher on the project site.

Weather conditions met the USFWS survey protocol requirements for optimal gnatcatcher detection. Weather conditions that were too cold (below 55 degrees Fahrenheit [°F]), too hot (above 95°F), or too windy (wind speed greater than 15 miles per hour) were avoided. Surveys were conducted by slowly walking through all appropriate habitats while listening and watching for gnatcatcher activity. A combination of recordings of gnatcatcher vocalizations and “pishing” sounds were used in an attempt to elicit responses from any gnatcatchers that might be present. The frequency of vocalization playback and “pishing” varied depending on conditions, such as habitat patch size and topography in each area. All bird species detected during the survey were recorded, including notable observations of special status wildlife species. A list of all species observed during the surveys is included in Appendix A.

## **SURVEY RESULTS**

A total of three coastal California gnatcatcher territories were present on the project site during the surveys (Table 1; Exhibit 3). All three territories observed during the surveys consisted of gnatcatcher pairs, which exhibited behavior consistent with breeding; this was confirmed by either observing males displaying territorial behavior; observing adults carrying food items; or observing adults feeding nestlings/fledglings. Two of the three pairs had active nests which were documented with nestlings during the first focused survey. One nest was located in a black sage shrub, in the southeastern portion of the project site and the other nest was located in a California sagebrush shrub approximately 300 feet outside of the northeast boundary of the project site. While this nest location was outside of the project site boundary, the territory of the pair extended into the project site and included the coastal sage scrub habitat located just within the northeastern boundary. This was confirmed by observing the male of the pair responding to taped vocalization with territorial behavior inside the project site boundary. Representative site photographs are shown in Attachment A. A complete list of wildlife species that were observed during the surveys can be found in Attachment B.

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**TABLE 1  
 SUMMARY OF COASTAL CALIFORNIA GNATCATCHER SURVEYS**


Date	Time	Surveyors	Weather Conditions			Gnatcatchers Observed and/or Detected
			Temperature (°F) (Start/End)	Wind (mph) (Start/End)	Cloud Cover (%) (Start/End)	
May 8, 2019	0800–1130	Messett	60/67	0–1/0–2	100/100	2 pairs observed (both pairs had nests and were observed feeding nestlings). 1 juvenile was also observed.
May 29, 2019	0700–1100	Messett, Thomas	58/69	0–1/0–2	10/Clear	2 pairs and 1 solitary male observed (1 pair had 4 fledglings).
June 27, 2019	0715–1100	Messett, Thomas	67/75	0–1/1–4	100/80	3 pairs observed.


Special status species are tracked by the California Department of Fish and Wildlife (CDFW). California Natural Diversity Database (CNDDDB) forms for the gnatcatchers are included in Attachment C and will be submitted to the CDFW.

No brown-headed cowbirds (*Molothrus ater*) were observed during the course of the surveys.


Sincerely,

**P S O M A S**

  
 Ann M. Johnston  
 Vice President/Principal, Resource Management

  
 Lindsay A. Messett, CWB®  
 Senior Biologist

I certify that the information in this survey report and enclosed exhibits fully and accurately present my work.

  
 Lindsay A. Messett, CWB®  
 Senior Biologist  
 (PRT No. TE067064-3)

Enclosures: Exhibit 1 – Regional Location  
 Exhibit 2 – Local Vicinity  
 Exhibit 3 – Biological Resources  
 Exhibit 4 – Critical Habitat

Attachments: A – Site Photographs  
 B – Wildlife Compendium  
 C – CNDDDB Form

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## REFERENCES

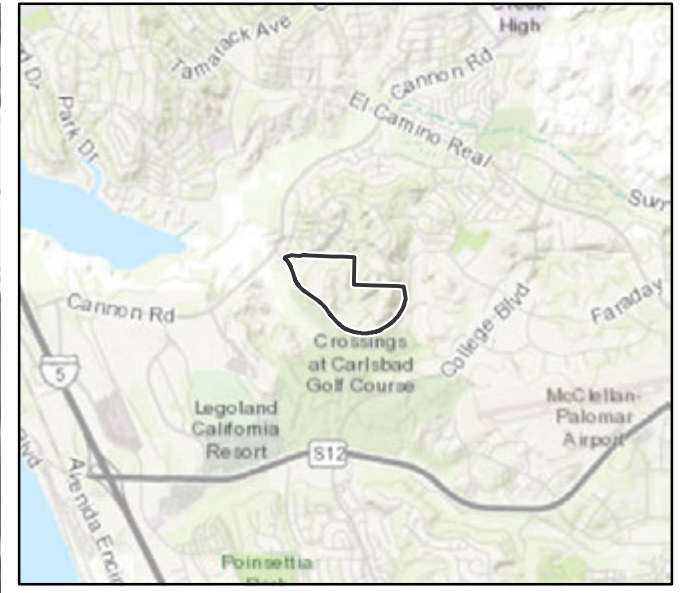
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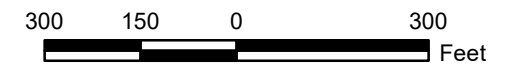
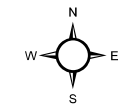
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□ Survey Area



Aerial Source: Esri, DigitalGlobe 2016

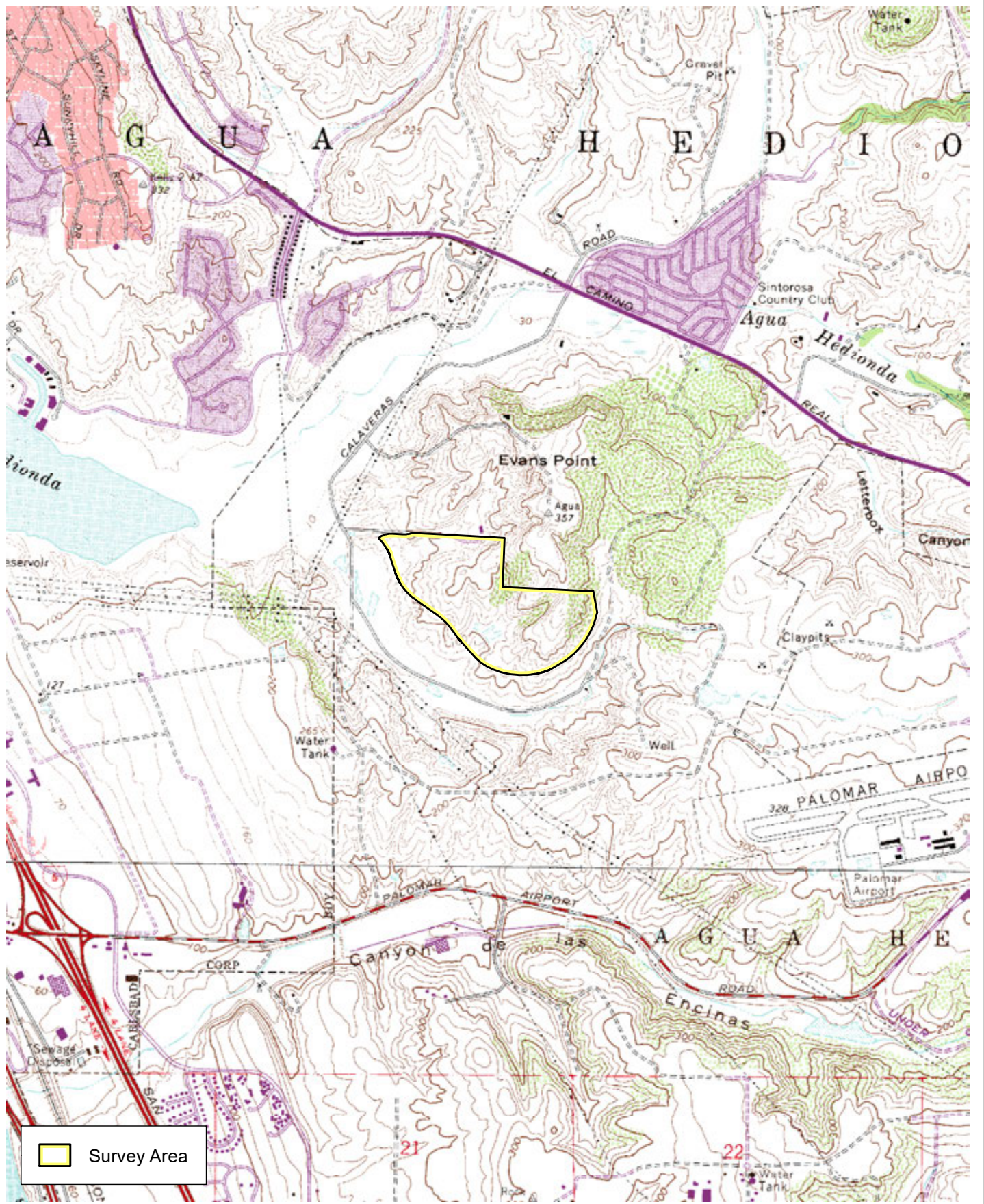
### Project Location Map Exhibit 1 Veterans Memorial Park




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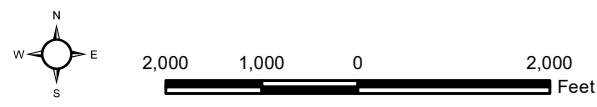


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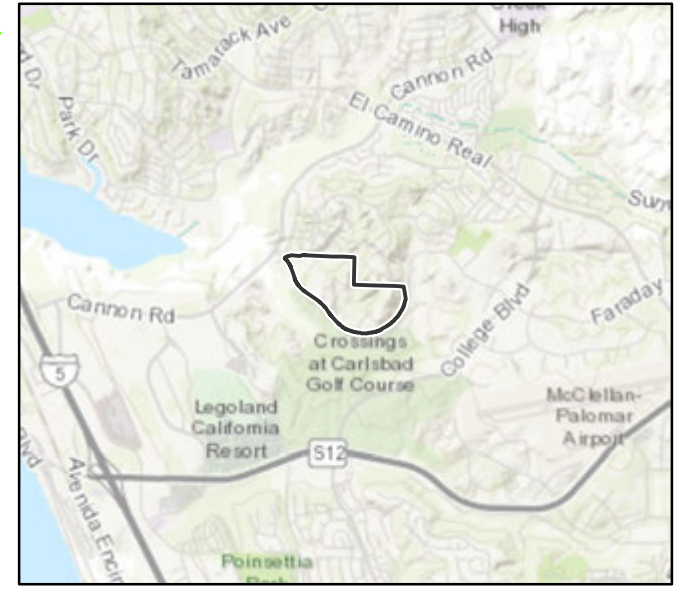
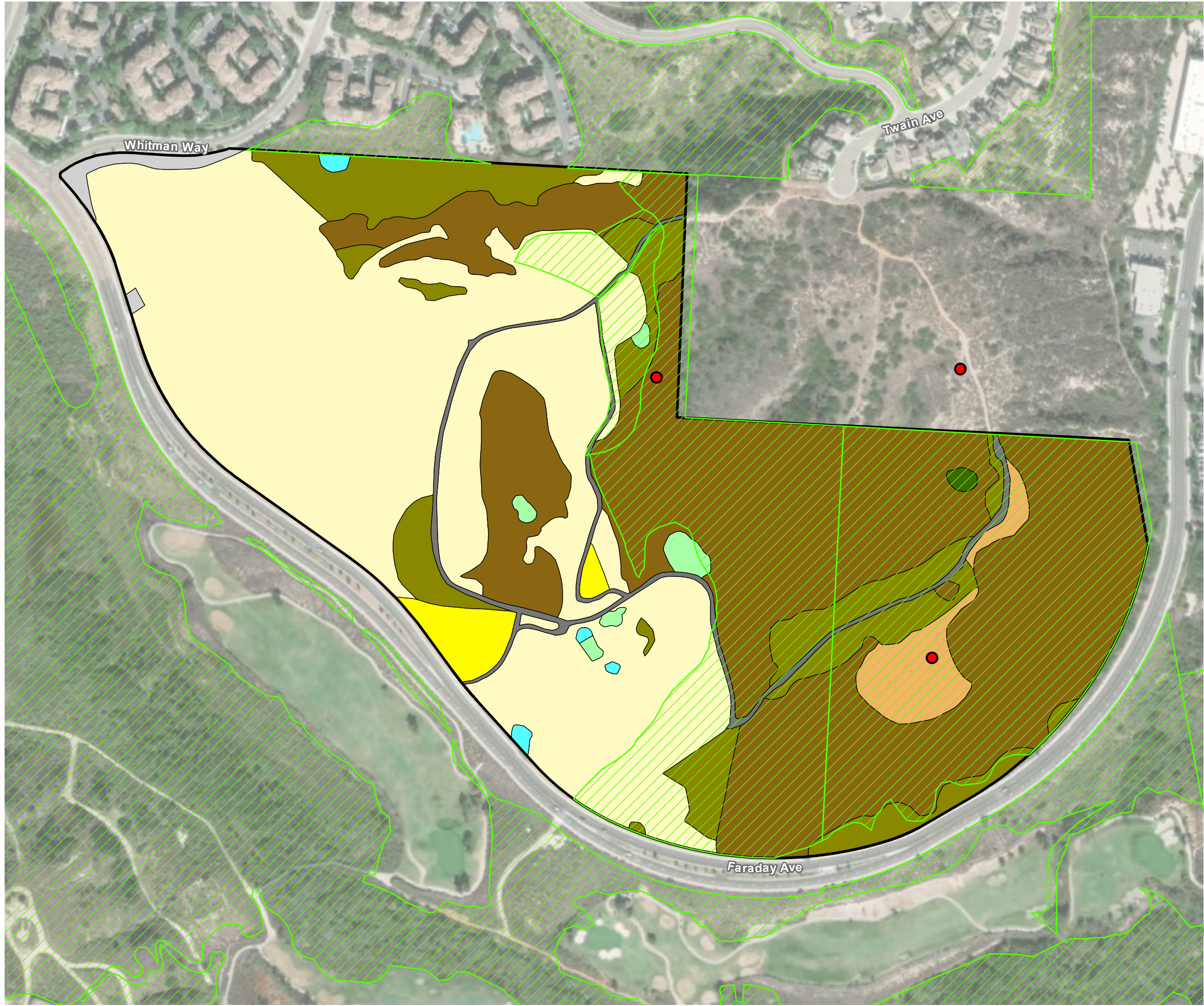
 Survey Area

**Local Vicinity**  
Veterans Memorial Park

**Exhibit 2**

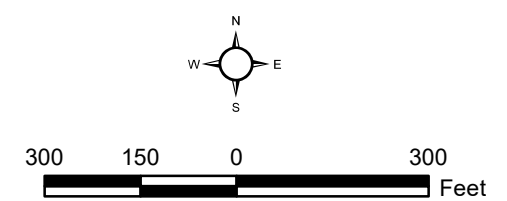






- Survey Area
  - Coastal California Gnatcatcher Locations
  - Vegetation Types and Other Areas**
  - Non-native Grassland
  - Non-native Grassland\*
  - Diegan Coastal Sage Scrub
  - Coastal Sage Scrub - Chaparral Scrub
  - Southern Maritime Chaparral
  - Oak Woodland
  - Eucalyptus Woodland
  - Riparian Scrub
  - Disturbed Wetland
  - Disturbed Land
  - Urban/Developed
  - Existing Hardline
- \*Note: Grassland has a high cover of native herbs.*

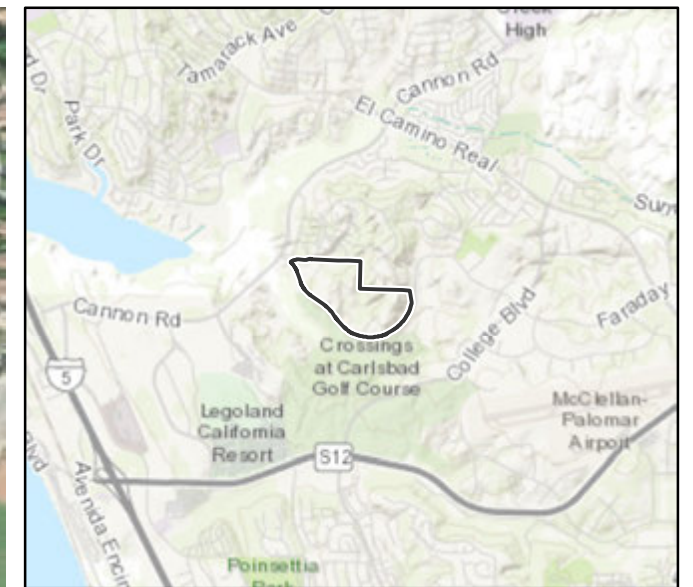
**Current Habitat Management Plan**





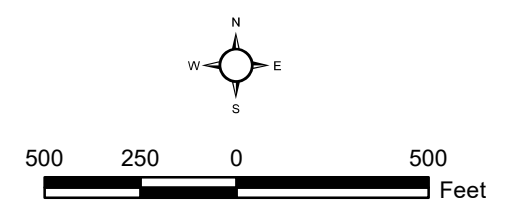
Aerial Source: Esri, DigitalGlobe 2016

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-  Survey Area
-  Coastal California Gnatcatcher Critical habitat (USFWS 2007)



Aerial Source: Esri, DigitalGlobe 2016

**Critical Habitat** **Exhibit 4**

*Veterans Memorial Park*



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**ATTACHMENT A**  
**SITE PHOTOGRAPHS**



Photo 1 – Diegan Coastal Sage scrub vegetation located in the northwestern portion of the project site.



Photo 2 – Coastal Sage Scrub – Chaparral Scrub vegetation located in the southern portion of the project site.

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## Site Photographs

*Veterans Memorial Park*

Attachment A







Photo 3 – Coastal California gnatcatcher nest location in the southeastern portion of the project site.



Photo 4 – Coastal California gnatcatcher nest location, approximately 300 feet north of the northeastern project site boundary.

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## Site Photographs

*Veterans Memorial Park*

Attachment A



**ATTACHMENT B**  
**WILDLIFE COMPENDIUM**



## WILDLIFE SPECIES THAT WERE OBSERVED DURING THE SURVEYS

Species		Special Status
Scientific Name	Common Name	
<b>LIZARDS</b>		
PHRYNOSOMATIDAE - SPINY LIZARD FAMILY		
<i>Sceloporus occidentalis</i>	western fence lizard	
<b>BIRDS</b>		
ODONTOPHORIDAE - NEW WORLD QUAIL FAMILY		
<i>Callipepla californica</i>	California quail	
COLUMBIDAE - PIGEON AND DOVE FAMILY		
<i>Zenaida macroura</i>	mourning dove	
CUCULIDAE - CUCKOO AND ROADRUNNER FAMILY		
<i>Geococcyx californianus</i>	greater roadrunner	
APODIDAE - SWIFT FAMILY		
<i>Aeronautes saxatalis</i>	white-throated swift	
TROCHILIDAE - HUMMINGBIRD FAMILY		
<i>Calypte anna</i>	Anna's hummingbird	
<i>Selasphorus sasin</i>	Allen's hummingbird	
LARIDAE - GULL AND TERN FAMILY		
<i>Larus occidentalis</i>	western gull	
CATHARTIDAE - NEW WORLD VULTURE FAMILY		
<i>Cathartes aura</i>	turkey vulture	
ACCIPITRIDAE - HAWK FAMILY		
<i>Accipiter cooperii</i>	Cooper's hawk	
<i>Buteo jamaicensis</i>	red-tailed hawk	
FALCONIDAE - FALCON FAMILY		
<i>Falco sparverius</i>	American kestrel	
TYRANNIDAE - TYRANT FLYCATCHER FAMILY		
<i>Empidonax difficilis</i>	Pacific-slope flycatcher	
<i>Sayornis nigricans</i>	black phoebe	
<i>Sayornis saya</i>	Say's phoebe	
CORVIDAE - JAY AND CROW FAMILY		
<i>Corvus corax</i>	common raven	
HIRUNDINIDAE - SWALLOW FAMILY		
<i>Petrochelidon pyrrhonota</i>	cliff swallow	
AEGITHALIDAE - BUSHTIT FAMILY		
<i>Psaltriparus minimus</i>	bushtit	
POLIOPTILIDAE - GNATCATCHER FAMILY		
<i>Polioptila californica californica</i>	coastal California gnatcatcher	FT, SSC (subsp. californica)
SYLVIIDAE - SILVIID WARBLERS FAMILY		
<i>Chamaea fasciata</i>	wrentit	
TURDIDAE - THRUSH FAMILY		
<i>Turdus migratorius</i>	American robin	
FRINGILLIDAE - FINCH FAMILY		
<i>Haemorhous mexicanus</i>	house finch	
<i>Spinus psaltria</i>	lesser goldfinch	

### WILDLIFE SPECIES THAT WERE OBSERVED DURING THE SURVEYS

Species		Special Status
Scientific Name	Common Name	
PASSERELLIDAE - NEW WORLD SPARROW FAMILY		
<i>Pipilo maculatus</i>	spotted towhee	
<i>Melospiza crissalis</i>	California towhee	
<b>MAMMALS</b>		
SCIURIDAE - SQUIRREL FAMILY		
<i>Otospermophilus beecheyi</i>	California ground squirrel	
GEOMYIDAE - POCKET GOPHER FAMILY		
<i>Thomomys bottae</i>	Botta's pocket gopher	
LEPORIDAE - HARE AND RABBIT FAMILY		
<i>Sylvilagus audubonii</i>	desert cottontail	
USFWS: U.S. Fish and Wildlife Service; CDFW: California Department of Fish and Wildlife <b>Species Status:</b> <b>Federal (USFWS)    State (CDFW)</b> FT Threatened    SSC Species of Special Concern		

**ATTACHMENT C**

**CNDDDB FORM**



Mail to:  
California Natural Diversity Database  
California Dept. of Fish & Wildlife  
P.O. Box 944209  
Sacramento, CA 94244-2090  
CNDDDB@wildlife.ca.gov

For Office Use Only

Source Code: \_\_\_\_\_ Quad Code: \_\_\_\_\_  
Elm Code: \_\_\_\_\_ Occ No.: \_\_\_\_\_  
EO Index: \_\_\_\_\_ Map Index: \_\_\_\_\_

Date of Field Work (mm/dd/yyyy): 05/08/2019

Clear Form

California Native Species Field Survey Form

Print Form

Scientific Name: *Polioptila californica californica*

Common Name: coastal California gnatcatcher

Species Found?  Yes  No \_\_\_\_\_  
If not found, why?

Total No. Individuals: 15 Subsequent Visit?  Yes  No

Is this an existing NDDDB occurrence? \_\_\_\_\_  
Yes, Occ. #  No  Unk.

Collection? If yes: \_\_\_\_\_  
Number Museum / Herbarium

Reporter: Lindsay Messett

Address: 3 Hutton Centre Drive, Suite 200,  
Santa Ana, CA 92707

E-mail Address: lindsay.messett@psomas.com

Phone: 714-751-7373 ext. 8034

Plant Information

Phenology:  
% vegetative % flowering % fruiting

Animal Information

6 9  
# adults # juveniles # larvae # egg masses # unknown  
 wintering  breeding  nesting  rookery  burrow site  lek  other

Location Description (please attach map AND/OR fill out your choice of coordinates, below)

The site is located in the City of Carlsbad, San Diego County, California. The site encompasses approximately 49 acres along the coastal foothills of the San Marcos Mountains.

County: San Diego Landowner / Mgr: City of Carlsbad

Quad Name: San Luis Rey Elevation: approx 200 feet

T \_\_\_\_\_ R \_\_\_\_\_ Sec \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Meridian: H  M  S  Source of Coordinates (GPS, topo. map & type): GPS

T \_\_\_\_\_ R \_\_\_\_\_ Sec \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Meridian: H  M  S  GPS Make & Model: Garmin ETrex 20x

DATUM: NAD27  NAD83  WGS84  Horizontal Accuracy: 10 - 15 feet \_\_\_\_\_ meters/feet

Coordinate System: UTM Zone 10  UTM Zone 11  OR Geographic (Latitude & Longitude)

Coordinates: 1: 33.137075, -117.300321, 2: 33.137171, -117.297293, 3: 33.134746, -117.297548

Habitat Description (plants & animals) plant communities, dominants, associates, substrates/soils, aspects/slope:

Animal Behavior (Describe observed behavior, such as territoriality, foraging, singing, calling, copulating, perching, roosting, etc., especially for avifauna):

Diegan coastal sage scrub & Coastal sage scrub-chaparral scrub dominated by California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), black sage (*Salvia mellifera*), coyote brush (*Baccharis pilularis*), coast prickly-pear (*Opuntia littoralis*), lemonade berry (*Rhus integrifolia*), laurel sumac (*Malosma laurina*). One juvenile observed (came into taped playback). Two pairs of gnatcatchers observed feeding nestlings, (4 chicks each), one pair of gnatcatchers observed foraging together.

Please fill out separate form for other rare taxa seen at this site.

Site Information Overall site/occurrence quality/viability (site + population):  Excellent  Good  Fair  Poor

Immediate AND surrounding land use: residential and golf courses

Visible disturbances: human activity (walking/biking on trails)

Threats: human activity (walking through habitat)

Comments: All human activity should be restricted to established trails.

Determination: (check one or more, and fill in blanks)

- Keyed (cite reference): \_\_\_\_\_
- Compared with specimen housed at: \_\_\_\_\_
- Compared with photo / drawing in: \_\_\_\_\_
- By another person (name): \_\_\_\_\_
- Other: familiarity with the species (visually and aurally)

Photographs: (check one or more)

	Slide	Print	Digital
Plant / animal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diagnostic feature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

May we obtain duplicates at our expense?  yes  no