

Appendix J

CALIFORNIA GNATCATCHER SURVEY
REPORT



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July 7, 2014

KOV-01

Ms. Stacey Love
U.S. Fish and Wildlife Service
2177 Salk Ave., Suite 250
Carlsbad, California 92008

Subject: 2014 Coastal California Gnatcatcher (*Polioptila californica californica*) Survey Report
for the Harmony Grove Parcels, San Diego County, California.

Dear Ms. Love:

This letter presents the results of a U.S. Fish and Wildlife Service (USFWS) protocol presence/absence survey of the federally listed as threatened coastal California gnatcatcher (*Polioptila californica californica*; CAGN) conducted by HELIX Environmental Planning, Inc. (HELIX) for the Harmony Grove Parcels, herein referred to as the property, comprised of Assessor's Parcel Numbers 235-011-06, 238-021-08, -09, and -10. This report describes the methods used to perform the survey and the results. It is being submitted to the USFWS as a condition of HELIX's Threatened and Endangered Species Permit TE778195.

PROJECT LOCATION

The approximately 111-acre property is located within an unincorporated portion of San Diego County near the community of Harmony Grove, just west of Interstate 15, and southeast of Country Club Drive (Figure 1). The property is situated in Section 31 of Township 12 South, Range 2 West on the Rancho Santa Fe U.S. Geological Survey 7.5-minute quadrangle map (Figure 2). The property is currently being evaluated for development and conservation opportunities.

METHODS

The survey consisted of three visits that were performed by HELIX biologist Erica Harris (TE 778195) in accordance with the current (1997) USFWS protocol. The CAGN survey area encompassed approximately 17.4 acres of potential CAGN habitat, including Diegan coastal

sage scrub, Diegan coastal sage scrub-disturbed, and coastal sage-chaparral scrub (Figure 3). Table 1 details the survey dates, times and conditions.

Table 1 GNATCATCHER SURVEY INFORMATION				
Survey Date	Biologist(s)	Start/Stop Times	Approx. Acres Surveyed/ Acres per Hour	Start/Stop Weather Conditions
5/13/14	Erica Harris	0620/0845	17.4 ac/ 0.12 ac/hr	55°F, wind, 2-5 mph, 0% cloud cover 76°F, wind, 3-12 mph, 0% cloud cover
5/20/14	Erica Harris Tara Baxter*	0645/1100	17.4 ac/ 0.07 ac/hr	59°F, wind, 1-3 mph, 90% cloud cover 64°F, wind, 2-4 mph, 80% cloud cover
5/29/14	Erica Harris	0635/0900	17.4 ac/ 0.12 ac/hr	63°F, wind, 0-1 mph, 100% cloud cover 68°F, wind, 1-3 mph, 0% cloud cover

*Supervised individual

The surveys were conducted by walking along the edges of, as well as within, suitable CAGN habitat. The survey route was arranged to ensure complete survey coverage of all habitat with potential for occupancy by CAGN. All surveys were conducted with binoculars to aid in bird detection. Recorded CAGN vocalizations were played sparingly and only if other means of detection had failed. If a gnatcatcher was detected before playing recorded vocalizations, the recordings were not played. Once CAGNs were initially detected in an area, use of playback was discontinued. The approximate survey route followed is depicted on Figure 3.

VEGETATION COMMUNITIES

Thirteen vegetation communities or land use types have been identified within the property and immediate vicinity: Diegan coastal sage scrub (including disturbed), coastal sage-chaparral scrub, granitic southern mixed chaparral, mafic southern mixed chaparral, mule fat scrub, southern willow riparian forest, coastal live oak woodland, eucalyptus woodland, non-native vegetation, non-native grassland, disturbed habitat, and developed land (Figure 3). These vegetation communities are described below.

Diegan Coastal Sage Scrub (including disturbed)

Coastal sage scrub is one of the two major shrub types that occur in southern California, occupying xeric sites characterized by shallow soils (the other is chaparral). Four distinct coastal sage scrub geographical associations (northern, central, Venturan, and Diegan) are recognized along the California coast. Diegan coastal sage scrub may be dominated by a variety of species depending upon soil type, slope, and aspect. Typical species found within Diegan coastal sage scrub include California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum*

fasciculatum ssp. *fasciculatum*), laurel sumac (*Malosma laurina*), and black sage (*Salvia mellifera*). Disturbed Diegan coastal sage scrub contains many of the same shrub species as undisturbed Diegan coastal sage scrub but is sparser and has a higher proportion of non-native annual species.

Coastal Sage-Chaparral Scrub

Coastal sage-chaparral scrub is a mixture of sclerophyllous chaparral shrubs and drought-deciduous sage scrub species regarded as an ecotone (transition) between two vegetation communities. This singular community contains floristic elements of both communities including California sagebrush, California buckwheat, laurel sumac, chamise (*Adenostoma fasciculatum*), scrub oak (*Quercus dumosa*), and ceanothus (*Ceanothus* spp.). This community varies in species composition but always contains coastal sage and chaparral species.

Granitic Southern Mixed Chaparral

Granitic southern mixed chaparral is found on granitic soils and is composed of broad-leaved sclerophyllous shrubs that can reach 6 to 10 feet in height and form dense often nearly impenetrable stands with poorly developed understories. Depending upon relative proximity to the coast, granitic southern mixed chaparral is dominated by chamise, mission manzanita (*Xylococcus bicolor*), coast white lilac (*Ceanothus verrucosus*), Ramona lilac (*Ceanothus tomentosus*), white-stem wild-lilac (*Ceanothus leucodermis*), big-berry manzanita (*Arctostaphylos glauca*), and scrub oak.

Mafic Southern Mixed Chaparral

Mafic southern mixed chaparral is found on mafic or metavolcanic soils. This chaparral community is dominated by chamise and Cleveland sage (*Salvia clevelandii*). It occupies relatively xeric exposures on south, west, or east aspects on gabbro soil (Oberbauer 2008).

Mule Fat Scrub

Mule fat scrub is a stunted, shrubby riparian scrub community dominated by mule fat (*Baccharis salicifolia*) and interspersed with small willows (*Salix* spp.). This vegetation community occurs along intermittent stream channels with a fairly coarse substrate and moderate depth to the water table. This community may be maintained by frequent flooding, the absence of which would lead to a cottonwood or sycamore dominated riparian woodland or forest (Holland 1986). In other places, the limited hydrology may be unsuitable for anything more mesic than mule fat scrub.

Southern Willow Riparian Forest

Southern willow riparian forest is an open to dense riparian community that is dominated by willow species (*Salix* spp.). Willows require moist, bare mineral soil for germination and establishment. This community occurs along large stream courses where there is an abundant

supply of water at or near the surface for most of the year. Though southern willow riparian woodland may not differ in floristic composition from some riparian scrub communities, it does so in physiognomy. The absence of large, frequent disturbances, usually in the form of floods, allows the component tree species to attain a sizable height.

Coastal Live Oak Woodland

Coast live oak woodland is an open to dense evergreen woodland or forest community, dominated by coast live oak (*Quercus agrifolia*), that may reach a height of 35 to 80 feet. The shrub layer consists of toyon (*Heteromeles arbutifolia*), blue elderberry (*Sambucus nigra* ssp. *caerulea*), spreading snowberry (*Symphoricarpos mollis*), fuchsia-flowered gooseberry (*Ribes speciosum*), and poison oak (*Toxicodendron diversilobum*). A dense herbaceous understory is dominated by miner's lettuce (*Claytonia perfoliata* var. *perfoliata*) and chickweed (*Stellaria media*). This community occurs along the coastal foothills of the Peninsular Ranges, typically on north-facing slopes and shaded ravines (Holland 1986). Coast live oak woodland can be further described as either open or dense.

Eucalyptus Woodland

Eucalyptus woodland is dominated by eucalyptus (*Eucalyptus* sp.), an introduced genus that produces a large amount of leaf and bark litter. The chemical and physical characteristics of this litter, combined with the shading effects of the tall trees, limit the ability of other species to grow in the understory, and floristic diversity decreases. If sufficient moisture is available, eucalyptus becomes naturalized and is able to reproduce and expand its range.

Non-native Vegetation

Non-native vegetation is a category describing stands of naturalized trees and shrubs (e.g., acacia [*Acacia* spp.], peppertree [*Schinus* spp.]), many of which are also used in landscaping.

Non-native Grassland

Non-native grassland typically supports a sparse to dense cover of annual grasses, often associated with numerous species of showy-flowered native annual forbs. This association occurs on gradual slopes with deep, fine-textured, usually clay soils. Most of the annual, introduced species that comprise the majority of species and biomass within the non-native grassland originated from the Mediterranean region, an area with a long history of agriculture and a climate similar to California. These grasslands are common throughout San Diego County.

Disturbed Habitat

Disturbed habitat includes land that has little or no habitat value because it has been cleared of vegetation for agricultural purposes or contains heavily compacted soils following disturbance such as grading.

Developed

Developed land is where permanent structures and/or pavement have been placed, which prevents the growth of vegetation, or where landscaping is clearly tended and maintained.

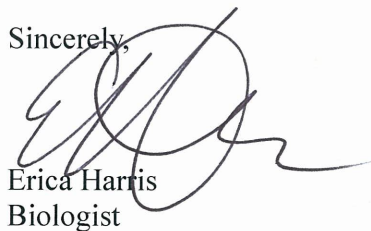
RESULTS

One pair of CAGN was detected during the three surveys within the central eastern portion of the property (Figure 3). The pair was observed building a nest during the second survey visit at the transition between Diegan coastal sage scrub and granitic southern mixed chaparral. The nest was being constructed in an approximately 4-foot-tall chamise approximately 2.5 feet off the ground. No other CAGN were detected during the surveys.

CERTIFICATION

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

Sincerely,



Erica Harris
Biologist

Enclosures:

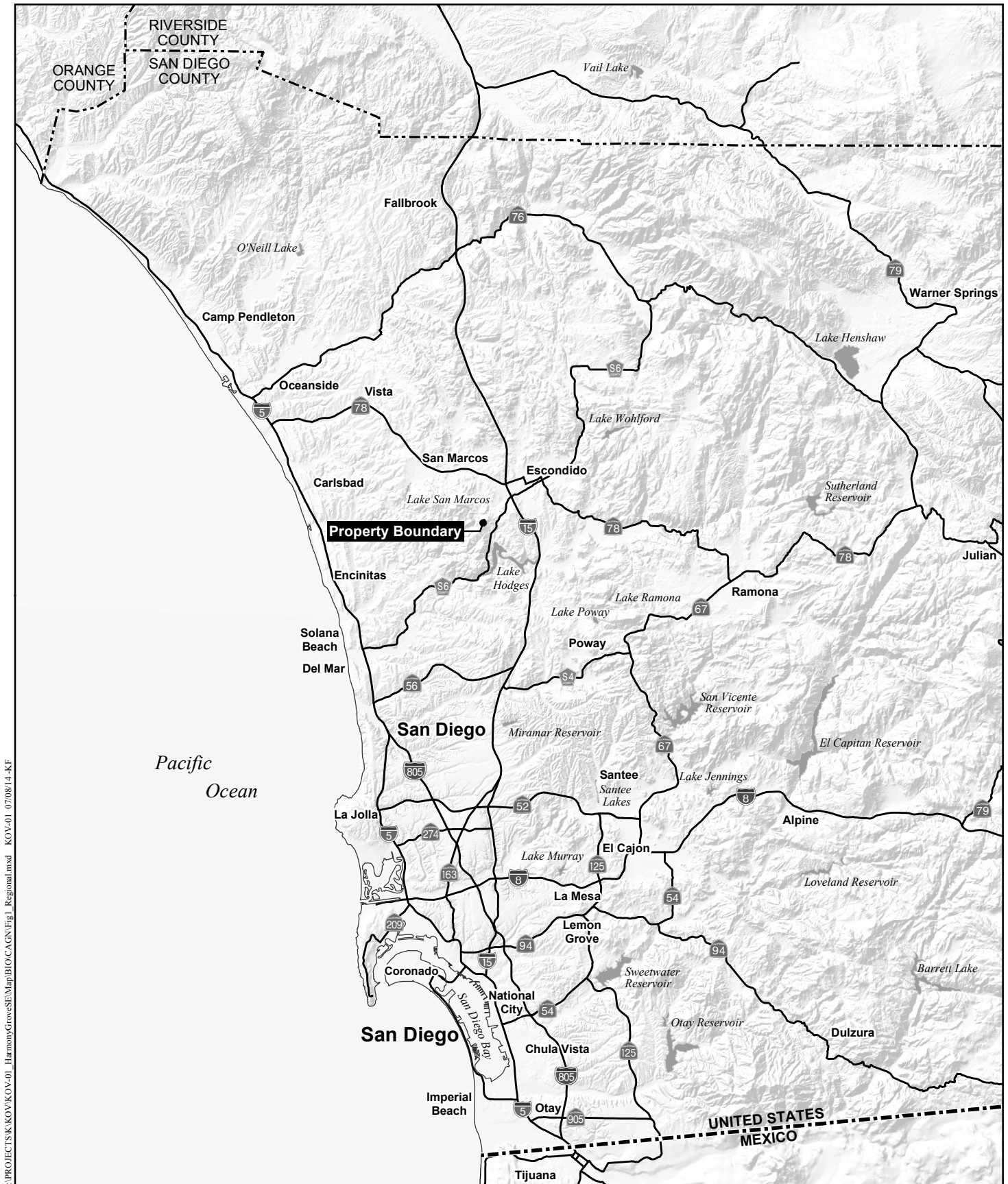
Figure 1 Regional Location Map

Figure 2 Project Vicinity Map

Figure 3 Vegetation and CAGN Locations

REFERENCES

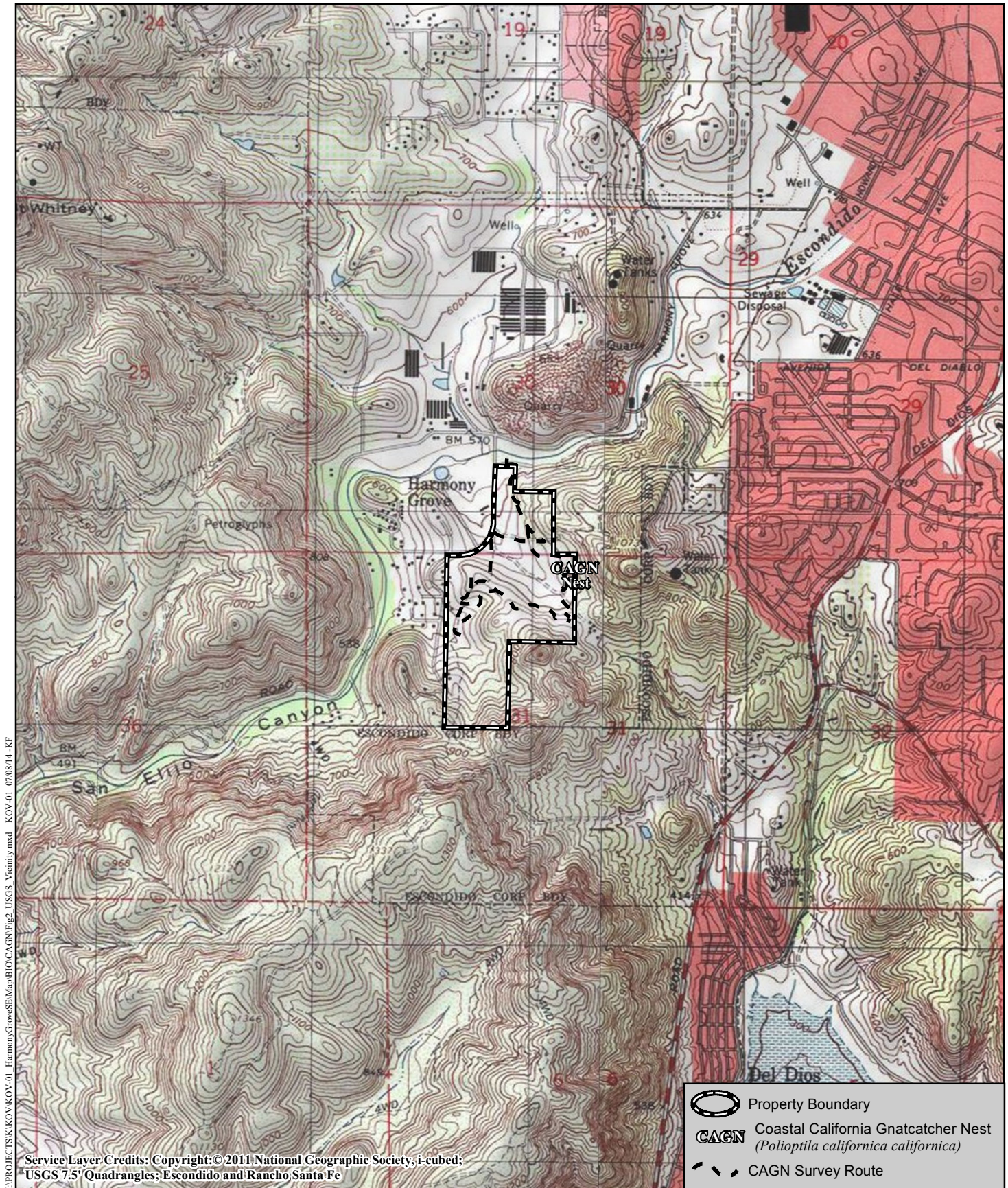
- Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. State of California, The Resources Agency, 156 pp.
- Oberbauer, Thomas. 2008. Terrestrial Vegetation Communities in San Diego County Based on Holland's Descriptions. Revised from 1996 and 2005. July.
- United States Fish and Wildlife Service. 1997. Coastal California Gnatcatcher (*Polioptila californica californica*) Presence/Absence Survey Protocol. 5pp.



Regional Location Map

SE OF HARMONY GROVE

Figure 1



Project Vicinity Map

SE OF HARMONY GROVE

Property Boundary

Mule Fat Scrub

Southern Willow Riparian Forest

Coast Live Oak Woodland

Diegan Coastal Sage Scrub

Diegan Coastal Sage Scrub - Disturbed

Coastal Sage-chaparral Scrub

Mafic Southern Mixed Chaparral

Granitic Southern Mixed Chaparral

Non-native Grassland

Eucalyptus Woodland

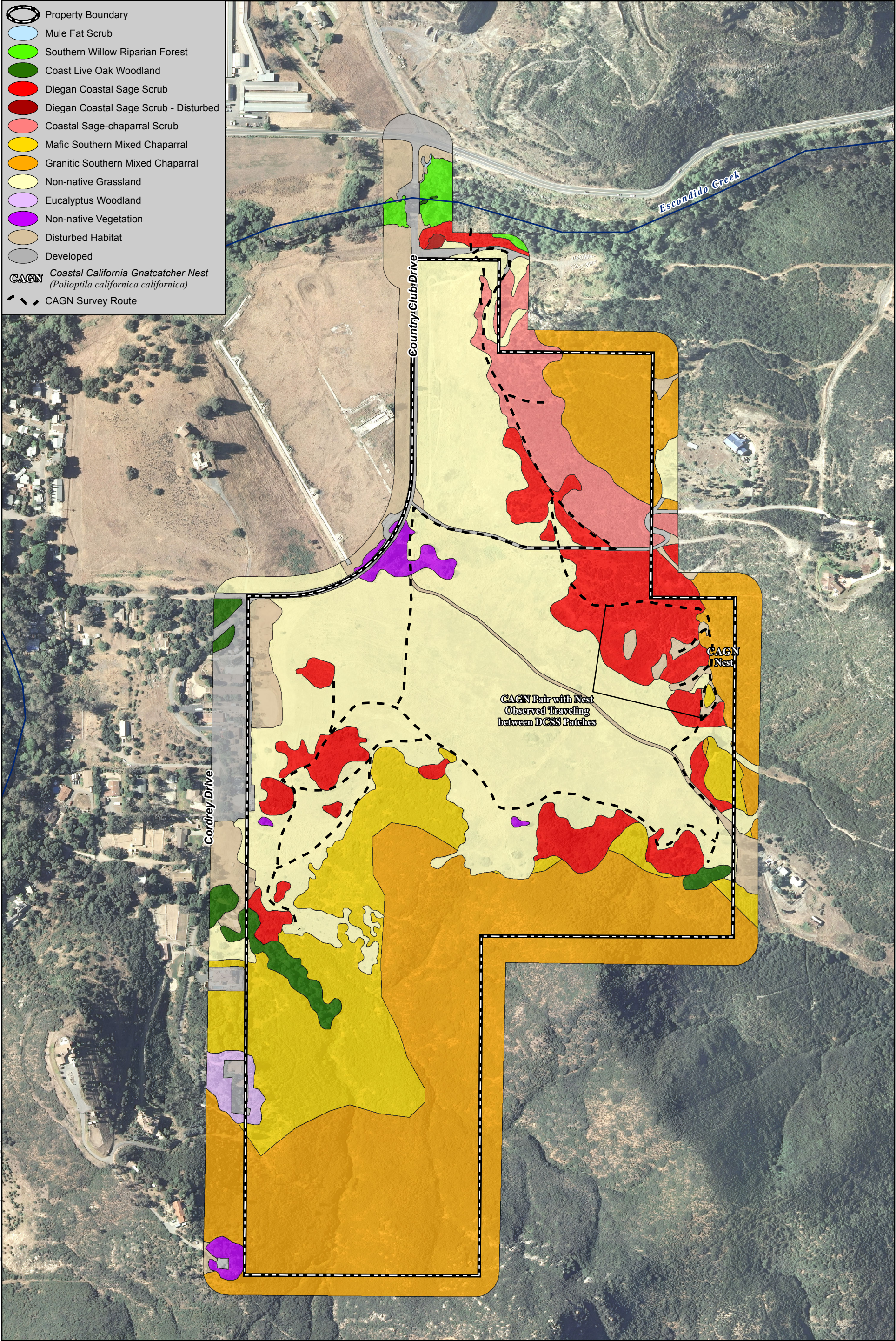
Non-native Vegetation

Disturbed Habitat

Developed

CAGN Coastal California Gnatcatcher Nest (*Poliophtila californica californica*)

CAGN Survey Route



Vegetation and CAGN Locations

SE OF HARMONY GROVE



Appendix K

JURISDICTIONAL DELINEATION REPORT



Harmony Grove Village South Project

Jurisdictional Delineation Report

PDS2015-SP-15-002, PDS2015-GPA-15-002,
PDS2015-TM-5600, PDS2015-REZ-15-003,
PDS2015-ER-15-08-006,
PDS2015-MUP-15-008

August 5, 2014



M. Larry Sward
Principal Biologist

Harmony Grove Village South Project Jurisdictional Delineation Report

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I. INTRODUCTION

This report presents the results of a formal jurisdictional delineation performed by HELIX Environmental Planning, Inc. (HELIX) for the Harmony Grove Village South Project (project) located in an unincorporated portion of San Diego County, California. The delineation was conducted within an approximately 114-acre study area to identify and map existing wetland and water resources potentially subject to the regulatory jurisdiction of the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act (33 USC 1344) and the California Department of Fish and Wildlife (CDFW) pursuant to Sections 1600 et seq. of the California Fish and Game Code. The information provided in this report is necessary to evaluate potential project impacts to jurisdictional resources and determine potential permit requirements for the project. This report presents HELIX's best effort to quantify the extent of potential USACE and CDFW jurisdictional resources within the study area using the current regulations, written policies, and guidance from regulatory agencies. The potential jurisdictional boundaries suggested herein are subject to verification by the USACE and CDFW.

A. PROJECT LOCATION AND DESCRIPTION

The study area includes the approximately 111-acre Harmony Grove property (project site or site) and an approximately 3-acre off-site area north of the property where Country Club Drive crosses Escondido Creek. On a regional scale, the study area is located approximately 10.5 (aerial) miles inland from the Pacific Ocean, north of Olivenhain Reservoir, south of State Route (SR-) 78, and west of Interstate (I-) 15 and the City of Escondido (Figure 1). Specifically, the study area is located immediately south of Harmony Grove Road near the address of 2609 Harmony Grove Road in San Diego County, California (Figure 2). The study area is depicted within the U.S. Geological Survey (USGS) Rancho Santa Fe, California 7.5 minute quadrangle map, Township 12 South, Range 2 West (Figure 3).

The project generally proposes residential development and conservation of open space. The purpose of the project is to create a residential village that complements existing elements of the community and surrounding open space.

II. METHODS

Prior to beginning fieldwork, aerial photographs (1"=200' scale), topographic maps (1"=200' scale), and National Wetland Inventory (NWI) maps were reviewed to assist in determining the location of potential jurisdictional areas in the study area. HELIX biologists Larry Sward and Ben Rosenbaum conducted a site visit on March 14, 2014 to perform the formal jurisdictional delineation. A vegetation map was prepared as part of the survey and was used as an aid in mapping jurisdictional areas. Data were collected in areas that were suspected to support potential jurisdictional resources. Sampling points were taken within representative uplands and wetlands, and mapping of drainage features was performed in the field based on the ordinary high water mark (OHWM) and surface indications of hydrology.

The USACE wetland boundaries were determined using the three criteria (vegetation, hydrology, and soils) established for wetland delineations, as described within the Wetlands Delineation Manual (Environmental Laboratory 1987) and since updated in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (USACE 2008a). The USACE non-wetland boundaries were further determined using methods suggested by the USACE in A Field Guide to the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States (USACE 2008b).

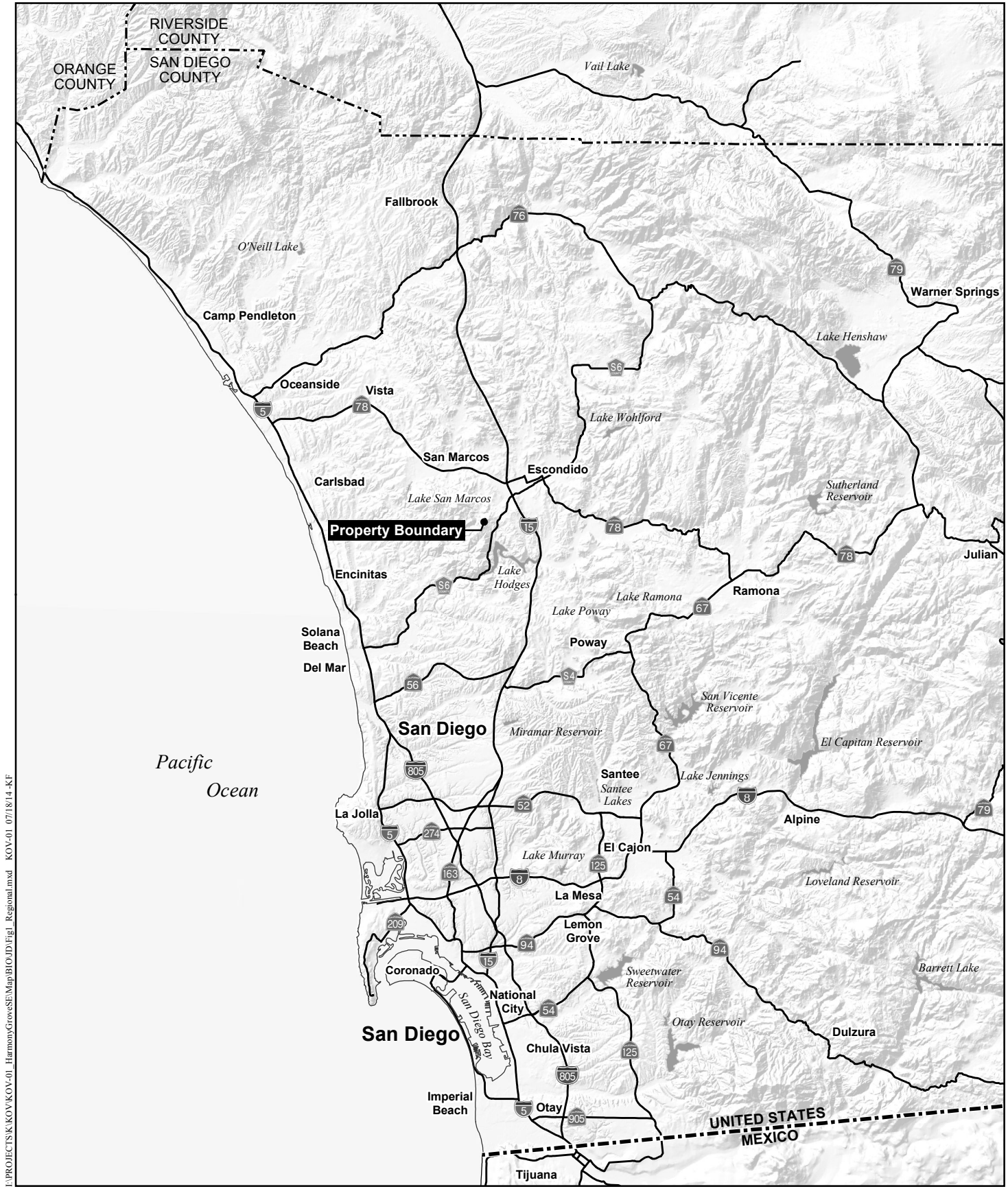
The results presented here are also discussed in light of court decisions (i.e., *Rapanos v. United States*, *Carabell v. United States*, and *Solid Waste Agency of Northern Cook County [SWANCC] v. USACE*), as outlined and applied by the USACE (USACE 2007; Grumbles and Woodley 2007), USACE and Environmental Protection Agency (EPA; 2007), and EPA and USACE (2007). These publications explain that the EPA and USACE will assert jurisdiction over traditional navigable waters (TNW) and tributaries to TNWs that are relatively permanent water bodies (RPWs), which have year-round or continuous seasonal flow. For water bodies that are not RPWs, a significant nexus evaluation must be conducted to determine whether the non-RPW is jurisdictional. An overview of USACE wetlands and jurisdictional waters of the U.S. definitions is presented in Appendix A.

Plants were identified according to Baldwin et al. (2012); Calflora (2014) was used to augment common names. Wetland affiliations of plant species follow the National Wetland Plant List (Lichvar, et al. 2014). Vegetation was mapped using a community-based system (Holland 1986).

Soils information (Figure 4) was taken from the Natural Resource Conservation Services' (NRCS) Web Soil Survey (2014a). Soil samples were evaluated for hydric soil indicators. Soil chromas were identified according to Munsell's Soil Color Charts (Kollmorgen 1994).

Each sampling point was inspected for primary (i.e., inundation, saturation, water marks, drift lines, sediment deposits, and drainage patterns in wetlands) and secondary (e.g., oxidized root channels, water-stained leaves, and FAC-neutral test) wetland hydrology indicators. Areas were determined to be non-wetland waters of the U.S. if there was evidence of regular surface flow (e.g., bed and bank) but the vegetation or soils criterion was not met. Jurisdictional limits for these areas were defined by the OHWM, which is defined in 33 CFR Section 329.11 as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; the presence of litter or debris; or other appropriate means that consider the characteristics of the surrounding areas." The USACE has issued further guidance on the OHWM (Riley 2005; USACE 2008b), which also has been used for this delineation.

The CDFW jurisdictional boundaries were determined based on the presence of riparian vegetation or regular surface flow. Streambeds within CDFW jurisdiction were delineated based on the definition of streambed as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life.



Regional Location Map

HARMONY GROVE

Figure 1

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