
**Compliance Biology, Inc., "Results of Focused Coastal California Gnatcatcher
Surveys; Castaic Mesa Project, Los Angeles County, California"
(2006; 2006A)**

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2006
June 25, 2006

Newhall Land
23823 Valencia Boulevard
Valencia, California 91355
Attention: Ms. Kelley Coleman

**Subject: Results of Focused Coastal California Gnatcatcher Surveys; Castaic Mesa Project
Los Angeles County, California**

Dear Ms. Coleman,

This letter report summarizes the methodology and findings of surveys for the federally-listed Threatened California gnatcatcher (*Poliophtila californica*) (herein CAGN) conducted by Compliance Biology, Inc. on the Castaic Mesa project site in the County of Los Angeles, California. The surveys were conducted for the purpose of determining the presence or absence of CAGN within the study area.

SURVEY LOCATION

The subject property totals approximately 487 acres and supports less than 80 acres of suitable coastal sage scrub habitat. The project site is situated south and southeast of Castaic Lagoon, northwest of Charlie Canyon, in Los Angeles County, California (Exhibit 1). The survey location occurs within three sections of two USGS 7.5-minute quadrangle maps. The western portion of the project is situated at T5N, R17W, in the northwest portion of Sections 25 of the Newhall, California quadrangle. The central portion of the site occurs at T5N, R16W in the northwestern quarter and a portion of the northeaster quarter of Section 30 of the Newhall, California quadrangle, and the remaining portion is situated at T5N, R16W in Section 19 of the Newhall and the Warm Springs Mountain quadrangles (Exhibit 2).

SITE DESCRIPTION

The subject property is characterized by variable topography including flat mesas in the central portion of the site. Hills and canyons surround the mesas and Castaic Creek is situated below a steep cliff on the western portion of the site. Elevation at the project site ranges from approximately 1,150 feet to approximately 1,660 feet above mean sea level in the northern-most portion of the site.

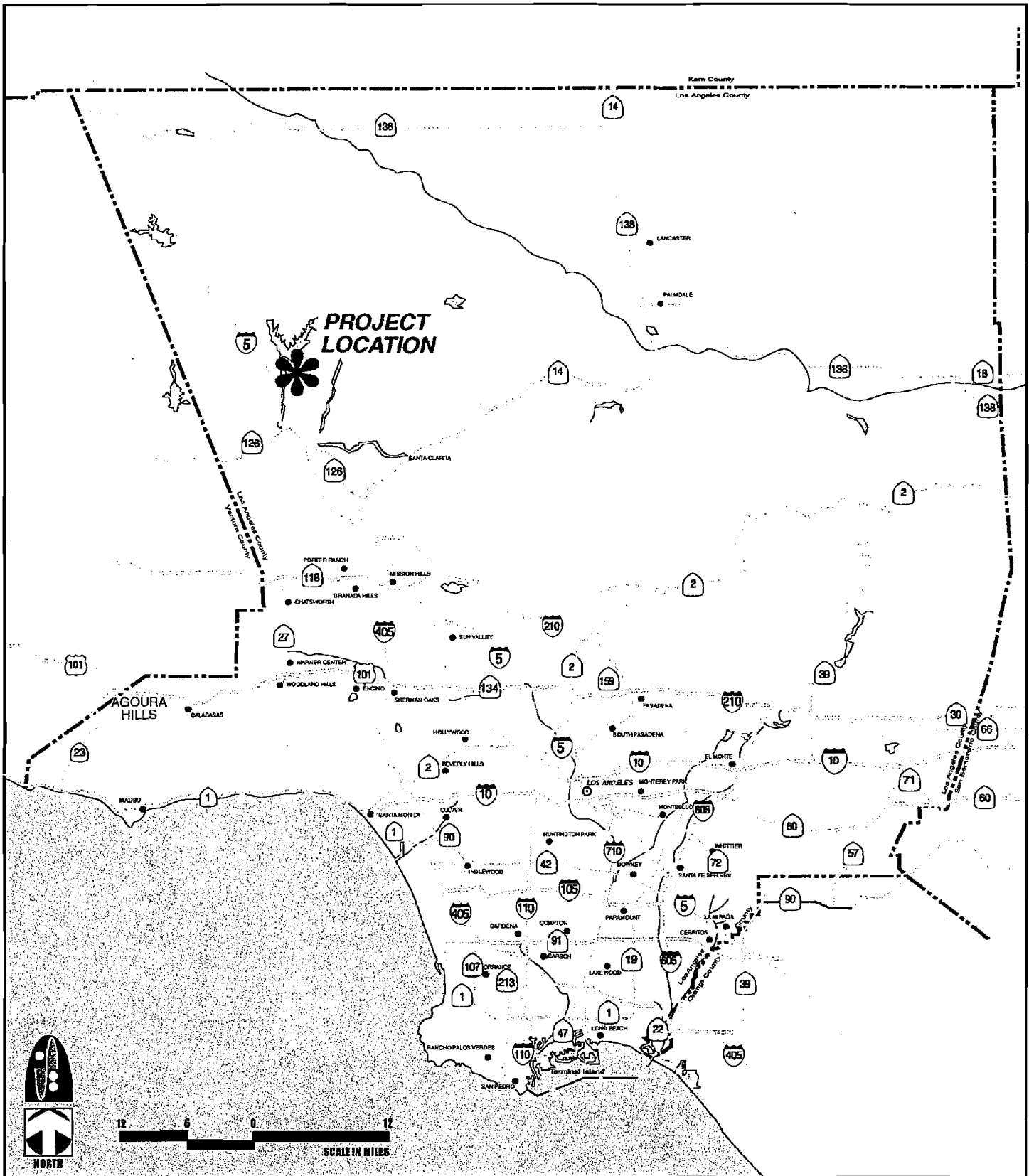
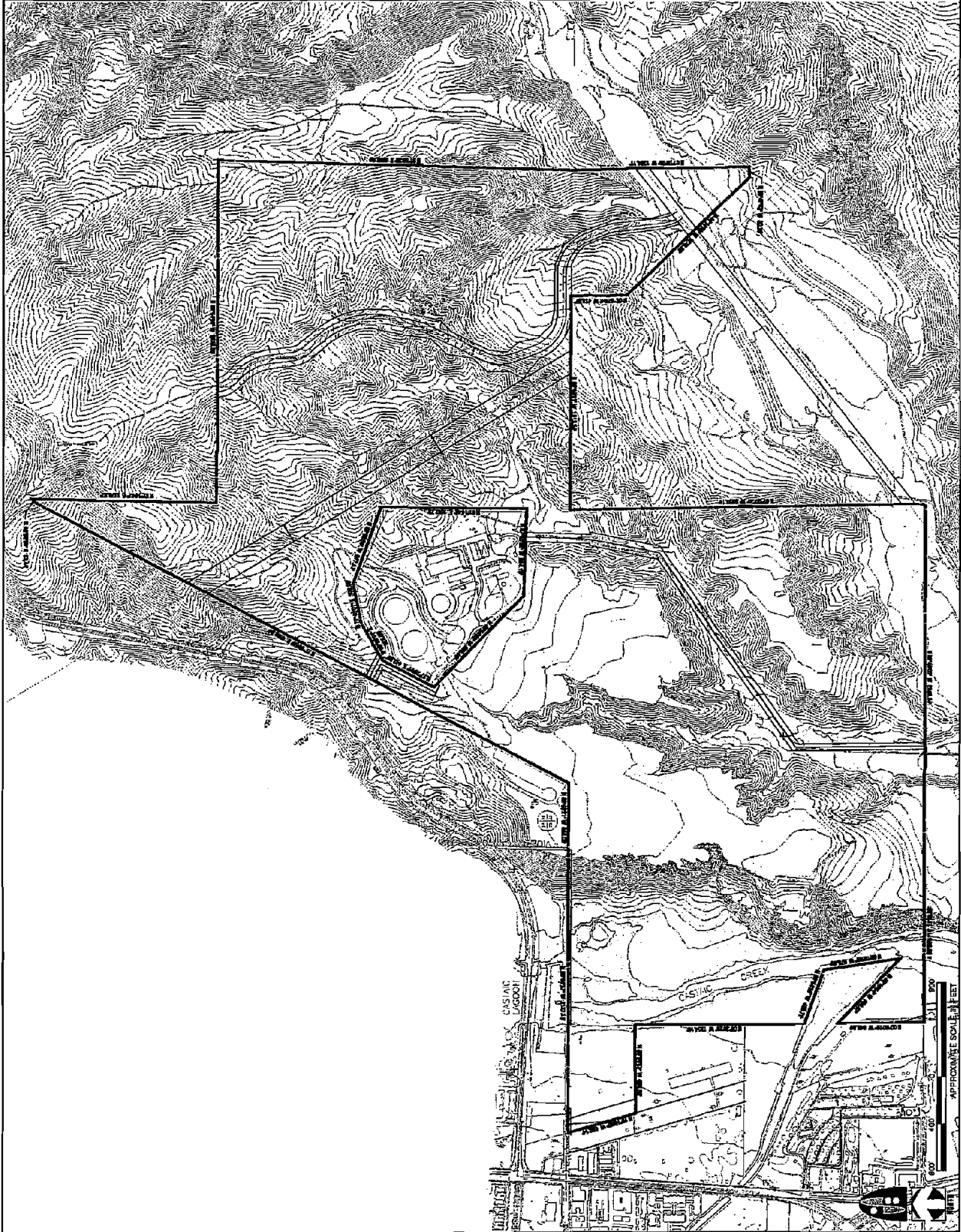


exhibit I
Regional Location



The subject property is situated south and southeast of Castaic Lagoon, an overflow point for Castaic Lake further north. Commercial and light industrial development exists west of the project boundaries. Rural development occurs south and undeveloped open space occurs to the east and northeast.

VEGETATION

Vegetation on the survey site is distributed as a mosaic of vegetation associations. Coastal sage scrub occurs on site occurs mostly in the northern, western and eastern portions of the site, but scattered patches are situated throughout. Dominant species in the sage scrub include California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), purple sage (*Salvia leucophylla*), California broom (*Lotus scoparius*), and yucca (*Yucca whipplei*). Native bunch grasses (*Stipa* spp.) and non-native brome grasses (*Bromus* spp.) and wild oats (*Avena* sp.) made up the majority of the ground cover between shrubs. Numerous wildlife and pedestrian trails occur throughout this habitat on site.

METHODOLOGY

Service recommended survey guidelines stipulate a minimum of six surveys shall be conducted at least one week apart between March 15 through June 30, and from July 1 through March 14, a minimum of nine surveys shall be conducted at least two weeks apart. Guidelines also recommend that surveys be completed between 6:00 a.m. and 12 p.m.; that they shall avoid periods of inclement weather or excessive heat, rain, wind, and fog; and the rate of coverage should be no more than 80 acres per day per permitted biologist.

Based on the aforementioned guidelines, six focused surveys were conducted within and adjacent to potentially suitable on-site coastal scrub habitats with at least a seven-day interval between site visits. All field surveys were performed by David Crawford and/or Ron Francis, Jr. under the authority of their respective individual Endangered Species Recovery Permits.

Surveys were conducted on March 17, 24, April 5, 19, 26 and May 5, 2006. Approximately 80 acres of potentially suitable scrub habitat and a surrounding buffer zone into adjacent habitats were surveyed each day. All potential habitat areas were systematically surveyed on foot by walking slowly and methodically along random transect routes. The location of transects and survey points along each transect were based on the vegetation and topographic conditions (size, location, and shape of habitat) of the area to be surveyed to ensure complete coverage. A combination of taped vocalizations (played at 30-60 second increments) and "pishing" sounds were used at each calling point.

Weather conditions during the surveys were generally conducive to a high level of bird activity. All surveys were conducted between the hours of about 6:00 a.m. and approximately 11:00 a.m. Temperatures varied from approximately 58 degrees Fahrenheit (F) to a maximum of about 83F. Wind speed ranged from 0 to 10 mph during the surveys and typically averaged less than 5 mph. Cloud cover varied from overcast to completely clear.

RESULTS

A total of 49 avian species was observed or detected on the subject property. No California gnatcatchers were recorded on the project site during the focused protocol surveys.

One California listed Threatened species was observed during one of the surveys conducted in April. Two Swainson's hawks (*Buteo swainsonii*) were observed soaring over the site and perching on fenceposts. This species more commonly occurs in northern California-Sacramento area and the central valley. However, Swainson's hawks are considered neotropical migrants as they migrate annually between northern California and South America. Because this species was only observed once on site, it is reasonable to deduce that the pair was migrating through the area.

Ten additional avian species considered to be of special status in California were also observed during the surveys efforts and are discussed in the following text. A complete list of all vertebrate species observed during the survey efforts is included as **Attachment A**.

Northern harrier (*Circus cyaneus*), *California Species of Special Concern*. This raptor species was observed on two survey dates soaring low over open scrub and disturbed areas. As it was only observed on two occasions, it is likely that it resides nearby and utilizes the site for foraging.

Cooper's hawk (*Accipiter cooperii*), *California Species of Special Concern*. A single Cooper's hawk was observed flying over and perching in trees on site during three of the six surveys. No obvious nests were observed during the gnatcatcher survey efforts, but suitable nesting habitat does occur on site in larger trees in and adjacent to drainages.

Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*); *California Species of Special Concern*. This species was observed during all six of the gnatcatcher surveys. As such it is a likely resident. No nests were observed, but two individuals were seen carrying nesting materials as they flew by. Suitable nesting habitat occurs in scrub habitats scattered across the site.

Bell's sage sparrow (*Amphispiza belli belli*); *California Species of Special Concern*. A few individual Bell's sage sparrows were observed during three of the six surveys. This implies that they are either residents on site, or on an adjacent site and they are utilizing habitat on site for foraging. No nests or nesting behaviors were observed, but suitable nesting habitat does occur on site in association with scrub habitats.

Great blue heron (*Ardea herodias*); *California special animal*. A great blue heron was observed during two separate surveys. Both were observed foraging in the grasslands on the western-most mesa. This species is not afforded any specific protection under the Endangered Species Act. The California Department of Fish and Game is primarily interested in tracking rookery (communal nesting) areas. Individual birds are not considered sensitive.

Costa's hummingbird (*Calypte costae*); *California special animal*. Costa's hummingbird was observed during five of the six surveys indicating that it is a likely resident. This species appears to be relatively abundant in the area this year (personal observation). This species is not afforded any specific protection under the Endangered Species Act. The California Department of Fish and Game is primarily interested in tracking nesting locations. Individual birds are not considered sensitive.

Pacific-slope flycatcher (*Empidonax difficilis*); *California special animal*. One individual Pacific-slope flycatcher was observed during one site survey. As such, it is likely that this individual was a migrant passing through the area and is not expected to be nesting on site. This species is not afforded any specific protection under the Endangered Species Act. The California Department of Fish and Game is primarily interested in tracking nesting locations. Individual birds are not considered sensitive.

California thrasher (*Toxostoma redivivum*); *California special animal*. This species is relatively common in the region and was observed in scrub habitats on site during all six CAGN surveys. Recently, regulatory agencies have become interested in tracking nesting locations. This species is not afforded any specific protection under the Endangered Species Act.

Lark sparrow (*Chondestes grammacus*); *California special animal*. Lark sparrows were observed during five of the six site surveys, indicating they are likely site residents. Suitable nesting habitat is present on site in the more open areas. This species is not afforded any specific protection under the Endangered Species Act. The California Department of Fish and Game is primarily interested in tracking nesting locations. Individual birds are not considered sensitive.

Lawrence's goldfinch (*Carduelis lawrencei*); **California special animal**. This species was observed on two occasions. It is more closely associated with riparian habitats and was, in fact, observed both times in scrub habitat occurring adjacent to Castaic Creek. Lawrence's goldfinch can occur as a migrant or a resident in the project area. This species is not afforded any specific protection under the Endangered Species Act. The California Department of Fish and Game is primarily interested in tracking nesting locations. Individual birds are not considered sensitive.

CONCLUSIONS

No CAGN were observed or detected during the series of six protocol surveys. The state-listed Threatened Swainson's hawk was observed, but is considered to be a migrant in the area and would not be expected to be substantially impacted by alteration of existing conditions resulting from future development.

Ten additional bird species considered to be of special-status were also observed during the protocol surveys. Though not protected under the ESAs, impacts to these species must be considered during the environmental review process for any projects subject to the California Environmental Quality Act (CEQA).

Further, although most of the individual birds observed are not afforded any protection under state or federal laws, most of the avian species observed are protected under the California Fish and Game Code and the Federal Migratory Bird Species Treaty Act while actively nesting. As such, grading and/or any other activity resulting in the removal of vegetation should be conducted outside the typical nesting season (February 1 through July 30). Should such activities be required during this period of time, it is recommended that nesting bird surveys be conducted consistent with Service and California Department of Fish and Game guidelines.

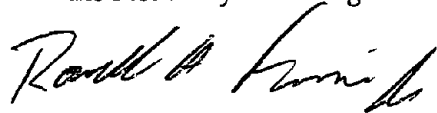
Thank you for the opportunity to provide Newhall Land with continued biological services. Please feel free to contact me if you have any questions regarding the contents of this report.

Sincerely,



Dave Crawford
Principal Biologist
Permit #TE-821229-5

I hereby attest that I have reviewed this report and that all information presented is true and accurate to the best of my knowledge.



Ron Francis Jr. Permit # TE-085880-0

Cc: Chris Dellith; US Fish and Wildlife Service

REFERENCES

- California Department of Fish and Game. 2003. "Special Animals (670 taxa)." January 2003 update. Prepared by the Wildlife and habitat Data Analysis Branch. California Natural Diversity Database.
- Hickman, J.C. (Editor). 1993. *The Jepson Manual, Higher Plants of California*. University of California Press, Berkeley, California.
- Holland, R.F. 1986. "Preliminary Descriptions of the Terrestrial Natural Communities of California." Unpublished Report. State of California, The Resources Agency, Department of Fish and Game, Natural Heritage Division, Sacramento, California.
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- U.S. Fish and Wildlife Service. 1985. *Migratory Bird Treaty Act*. 16 U.S.C. 703-712.

Attachment A (continued)
**Vertebrate Species Observed or Detected on the
 On the Castaic Mesa Property¹**

Scientific Name ²	Common Name ²	Status
REPTILES		
Iguanidae	Iguanid Lizards	
<i>Sceloporus occidentalis</i>	Western fence lizard	
<i>Uta stansburiana</i>	Side-blotched lizard	
Scincidae	Skinks	
<i>Eumeces skiltonianus skiltonianus</i>	Western skink	
Teiidae	Whiptail Lizards	
<i>Cnemidophorus tigris multiscutatus</i>	Coastal whiptail	
Colubridae	Colubrid Snakes	
<i>Lampropeltis getulua californiae</i>	California kingsnake	
MAMMALS		
Leporidae	Hares & Rabbits	
<i>Sylvilagus audubonii</i>	Desert cottontail	
<i>Sylvilagus bachmani</i>	Brush rabbit	
Sciuridae	Squirrels	
<i>Spermophilus beecheyi</i>	California ground squirrel	
Geomyidae	Pocket Gophers	
<i>Thomomys bottae</i>	Botta's pocket gopher	
Canidae	Wolves & Foxes	
<i>Canis latrans</i>	Coyote	
Felidae	Cats	
<i>Lynx rufus</i>	Bobcat	
Cervidae	Deers	
<i>Odocoileus hemionus</i>	Mule deer	

KEY:

¹ Occurrences documented during focused CAGN surveys conducted on site from March 17 through May 5, 2006.

² Scientific and common names are from the American Ornithologist's Union (2000) for birds, Society for the Study of Amphibians and Reptiles (2000) for reptiles, and Jones et al. (1992) for mammals.

³ Status:

CT: California Listed Threatened Species

CSC: California Species of Special Concern

sa = California Special Animal - species with no official federal or state status, but are included on CDFG's Special Animals list

(nesting) = For most taxa the CNDDDB is interested in sightings for the presence of resident populations. For some species (primarily birds), the CNDDDB only tracks certain parts of the species range or life history (e.g., nesting locations). Those species noted with a sa or CSC followed by (nesting) indicate the agency interest or protection status only applies to active nests of that species.

Attachment A
Vertebrate Species Observed or Detected on the
On the Castaic Mesa Property¹

Scientific Name ²	Common Name ²	Status ³
BIRDS		
Ardeidae	Hérons	
<i>Ardea herodias</i>	Great blue heron	sa (rookery)
Accipitridae	Hawks	
<i>Circus cyaneus</i>	Northern harrier	CSC (nesting)
<i>Accipiter cooperii</i>	Cooper's hawk	CSC (nesting)
<i>Buteo swainsonii</i>	Swainson's hawk	CT (nesting)
<i>Buteo jamaicensis</i>	Red-tailed hawk	
Phasianidae	Grouse, Pheasants & Quails	
<i>Callipepla californica</i>	California quail	
Columbidae	Pigeons & Doves	
<i>Zenaida macroura</i>	Mourning dove	
Cuculidae	Cuckoos & Roadrunners	
<i>Geococcyx californianus</i>	Greater roadrunner	
Apodidae	Swifts	
<i>Aeronautes saxatalis</i>	White-throated swift	
Trochillidae	Hummingbirds	
<i>Archilochus alexandri</i>	Black-chinned hummingbird	
<i>Calypte anna</i>	Anna's hummingbird	
<i>Calypte costae</i>	Costa's hummingbird	sa (nesting)
Picidae	Woodpeckers	
<i>Melanerpes formicivorus</i>	Acorn woodpecker	
<i>Picoides nuttallii</i>	Nuttall's woodpecker	
Tyrannidae	Tyrant Flycatchers	
<i>Empidonax difficilis</i>	Pacific-slope flycatcher	sa (nesting)
<i>Sayornis nigricans</i>	Black phoebe	
<i>Sayornis saya</i>	Say's phoebe	
<i>Tyrannus verticalis</i>	Western kingbird	
Hirundinidae	Swallows	
<i>Tachycineta thalassina</i>	Violet-green swallow	
<i>Stelgidopteryx serripennis</i>	Northern rough-winged swallow	
<i>Hirundo pyrrhonota</i>	Cliff swallow	
Corvidae	Jays & Crows	
<i>Aphelocoma coerulescens</i>	Scrub jay	
<i>Corvus brachyrhynchos</i>	American crow	
<i>Corvus corax</i>	Common raven	
Aegithalidae	Bushtits	
<i>Psaltriparus minimus</i>	Bushtit	
Troglodytidae	Wrens	
<i>Thryomanes bewickii</i>	Bewick's wren	
Muscicapidae	Kinglets, Gnatcatchers, Thrushes & Babblers	
<i>Regulus calendula</i>	Ruby-crowned kinglet	
<i>Chamaea fasciata</i>	Wrenit	

Attachment A (continued)
**Vertebrate Species Observed or Detected on the
 On the Castaic Mesa Property¹**

Scientific Name ²	Common Name ²	Status ³
Mimidae	Thrashers	
<i>Mimus polyglottos</i>	Northern mockingbird	
<i>Toxostoma redivivum</i>	California thrasher	sa
Ptilonotidae	Silky-Flycatchers	
<i>Phainopepla nitens</i>	Phainopepla	
Emberizidae	Wood Warblers, Tanagers, Buntings & Blackbirds	
<i>Dendroica townsendi</i>	Townsend's warbler	
<i>Wilsonia pusilla</i>	Wilson's warbler	
<i>Pheucticus melanocephalus</i>	Black-headed grosbeak	
<i>Passerina amoena</i>	Lazuli bunting	
<i>Pipilo erythrophthalmus</i>	Spotted towhee	
<i>Pipilo crissalis</i>	California towhee	
<i>Aimophila ruficeps canescens</i>	Southern California rufous-crowned sparrow	CSC
<i>Chondestes grammacus</i>	Lark sparrow	sa (nesting)
<i>Amphispiza belli belli</i>	Bell's sage sparrow	CSC
<i>Passerculus sandwichensis</i>	Savannah sparrow	
<i>Zonotrichia leucophrys</i>	White-crowned sparrow	
<i>Stumella neglecta</i>	Western meadowlark	
<i>Molothrus ater</i>	Brown-headed cowbird	
<i>Icterus cucullatus</i>	Hooded oriole	
<i>Icterus bullockii</i>	Bullock's oriole	
Fringillidae	Finches	
<i>Carpodacus mexicanus</i>	House finch	
<i>Carduelis psaltria</i>	Lesser goldfinch	
<i>Carduelis lawrencei</i>	Lawrence's goldfinch	sa (nesting)