

APPENDIX K-3

Coastal California Gnatcatcher Presence/Absence Survey Guidelines (USFWS 1997)

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.

- C 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:

- C 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.
- C 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:

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

All other jurisdictions:

- C. 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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