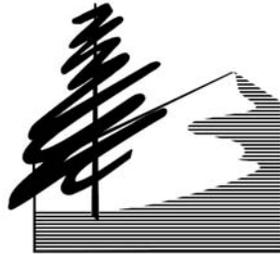


**Calavera Hills and Robertson Ranch  
Habitat Conservation Area**  
(S031)

Annual Report  
October 2007 - September 2008

*Prepared for:*  
U.S. Fish and Wildlife Service  
California Department of Fish and Game  
City of Carlsbad

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## I. Introduction

This report summarizes the management activities performed or overseen by the Center for Natural Lands Management (Center, CNLM) at the Calavera Hills and Robertson Ranch Habitat Conservation Area (HCA) during the management year beginning on October 1, 2007, and ending on September 30, 2008. This work plan has been developed from the guidelines for goals and objectives set forth in the Calavera Hills Phase II Final Habitat Management Plan (HMP) dated October 2002 (Planning Systems 2002), the Robertson Ranch East Village Open Space Land Management Plan (OSMP) (Planning Systems 2006), and the Robertson Ranch West Village Open Space Preserve Land Management Plan (Planning Systems 2007), of which all activities were agreed upon by the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG).

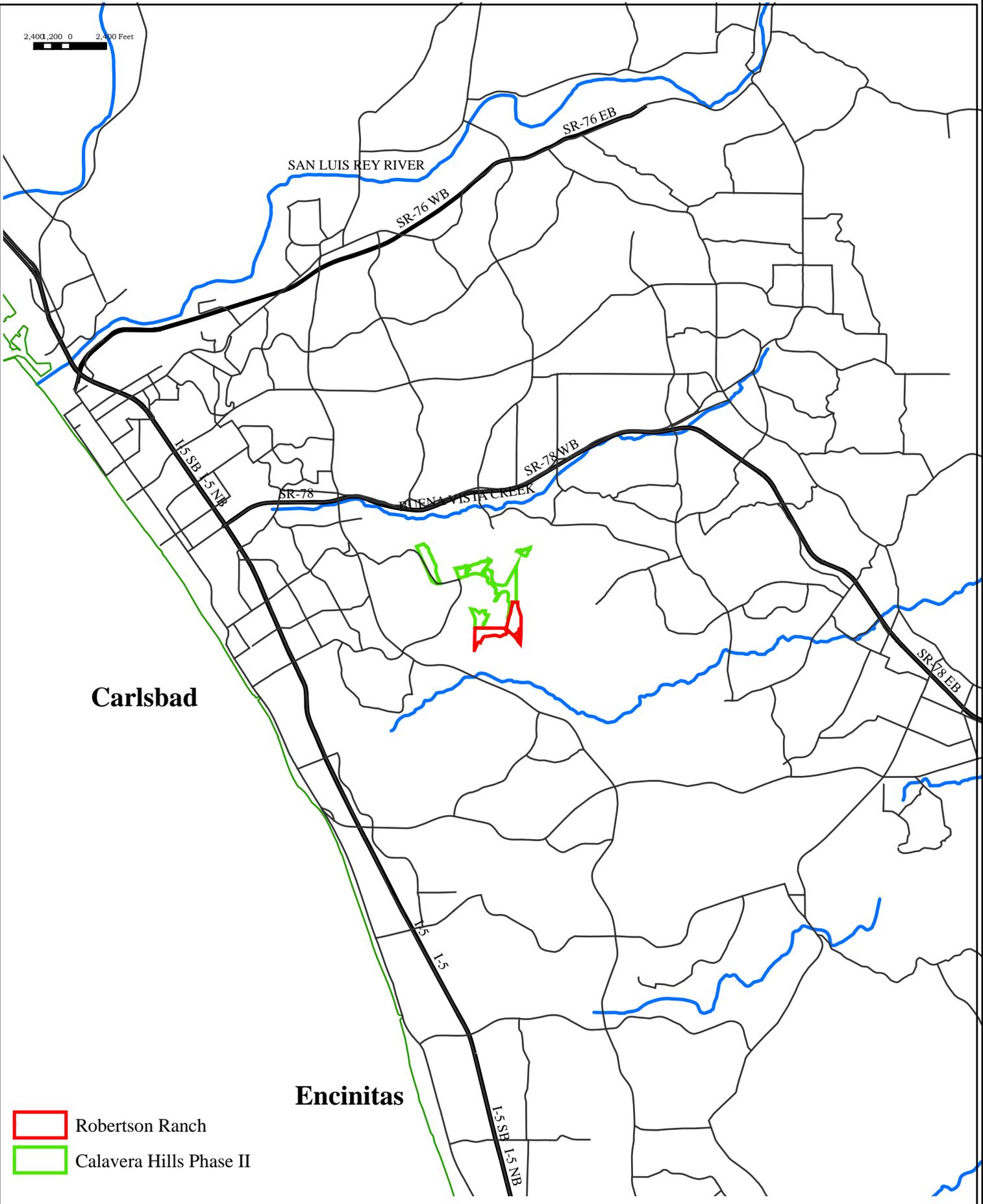
The Center for Natural Lands Management (Center) was deeded Conservation Easements (CE's) by McMillin Homes on the Calavera Hills Phase II Habitat Conservation Area and the Robertson Ranch East Village Habitat Conservation Area in June 2006 and February 2007, respectively. The Center was deeded a CE on the Robertson Ranch West Village PA 23C Phase 1 parcel December 2007. Calavera Hills and Robertson Ranch East Village properties were set aside by McMillin Homes as mitigation for housing developments to protect remaining habitat for the coastal California gnatcatcher (*Polioptila californica californica*) and other listed plant and wildlife species covered under the Multiple Habitat Conservation Plan (MHCP). Robertson Ranch West Village PA 23C Phase 1 was set aside by the Robertson Family Trust to mitigate for significant impacts to upland and wetland biological resources, and to protect remaining habitat for the coastal California gnatcatcher.

In order to simplify future budgetary and planning considerations, since assuming CE's on the Robertson Ranch property, Calavera Hills Phase II and Robertson Ranch properties have been merged to form a single HCA. This represents the second annual report for this HCA in its entirety.

The HCA is comprised of eight management units (Village H, K, R, U, W, X, Robertson Ranch East Village, and Robertson Ranch West Village PA 23C Phase 1), is situated approximately 3 miles inland, and is bisected by Carlsbad Village Drive and College Avenue (Figures 1 and 2). Village R is owned by the Calavera Hills Master Association; Robertson Ranch East Village and Village H are owned by the Calavera Hills II, LLC c/o The Corky McMillan Companies, with the future owner to be the Robertson Ranch Masters Home Owners Association; and Villages K, U, W, and X are owned by the Calavera Hills II Home Owners Association (HOA). West Village PA 23C Phase 1 is owned by the Robertson Family Trust, and is expected to be transferred to an HOA upon completion of development. The HCA contains approximately 238 acres of dedicated natural open space which consists mostly of Diegan coastal sage scrub.

Management at the HCA includes signing and maintaining fences (capital improvements), biological surveys, habitat maintenance and restoration, public services, and reporting. Each of these activities and their fiscal year results are summarized below and fully described within this report.

2,400 2,000 0 2,400 Feet



-  Robertson Ranch
-  Calavera Hills Phase II

Figure 1  
Preserve Vicinity  
Robertson Ranch and Calavera Hills Phase II Habitat Conservation Area - Carlsbad, CA

Center for Natural Lands Management

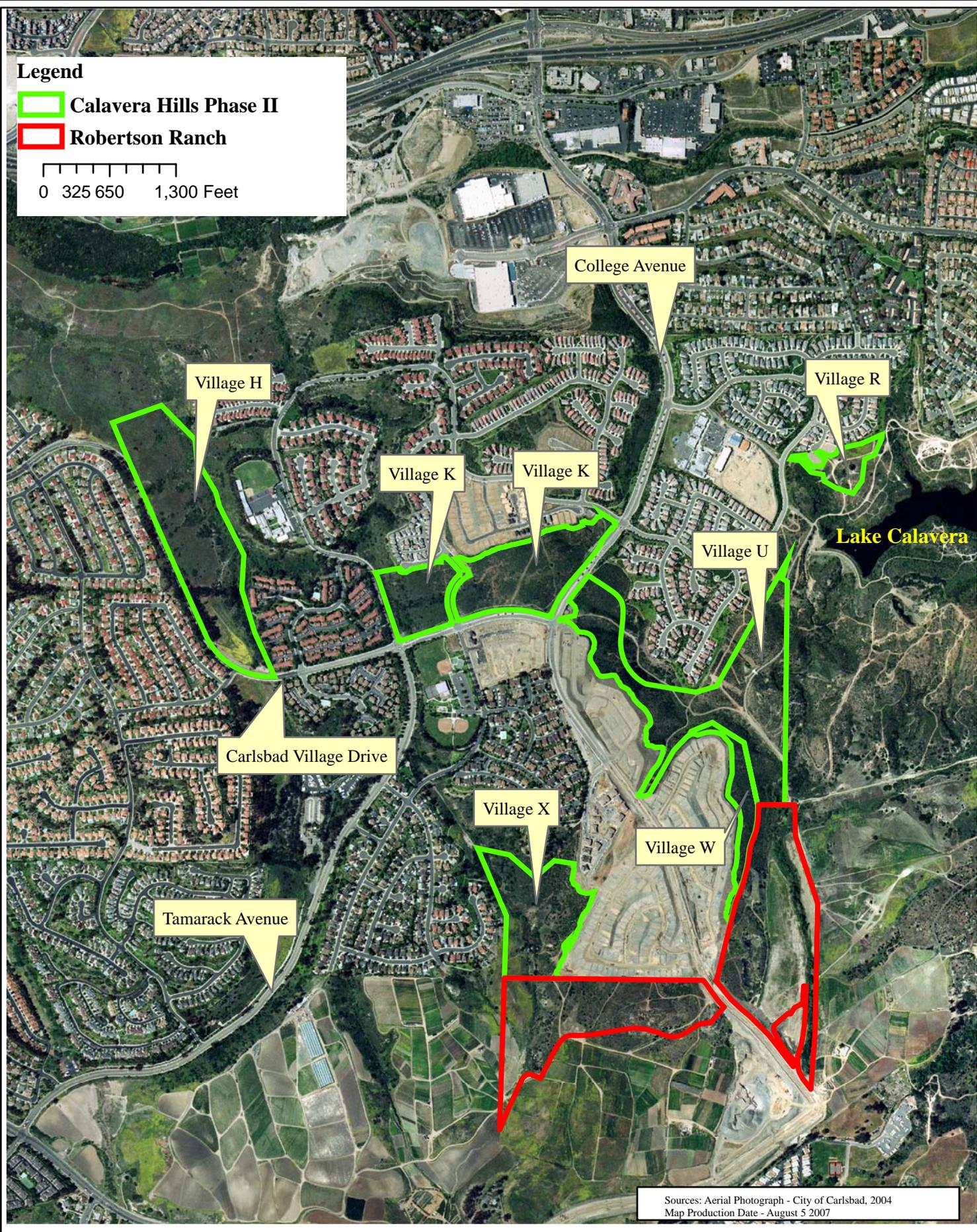


**Legend**

 Calavera Hills Phase II

 Robertson Ranch

0 325 650 1,300 Feet



Sources: Aerial Photograph - City of Carlsbad, 2004  
Map Production Date - August 5 2007

**Figure 2**  
**Preserve Location Map**  
Calavera Hills Phase II and Robertson Ranch - Carlsbad, CA



## 2007-2008 CNLM ACTIVITY SUMMARY

- We installed over 3800 feet of three-strand barbless-barbed-wire fencing
- We incidentally noted any reptiles, birds, and mammals observed on-site while conducting patrols, maintenance, or other monitoring tasks
- We detected sixteen pair of the coastal California gnatcatcher
- Seven populations of vegetative thread-leaved brodiaea (*Brodiaea filifolia*) at Village H were censused and mapped
- Six flowering thread-leaved brodiaea locations were mapped and censused at Village X
- One San Diego thornmint (*Acanthomintha ilicifolia*) population was censused and mapped at Village X
- One population of Palmer's grapplinghook (*Harpagonella palmeri*) was censused and mapped
- One population of small-flowered microseris (*Microseris douglasii* var. *platycarpha*) was censused and mapped
- We searched for vernal pools in Robertson Ranch parcel east of College and found some indicator plant species
- We removed nonnative plant species including over 300 tree tobacco (*Nicotiana glauca*) and 400 pampas grass (*Cortaderia selloana*), 500 castor bean (*Ricinus communis*), a hundred smilo grass (*Piptatherum milleaceum*), several artichoke thistle (*Cynara cardunculus*), thousands of black mustard (*Brassica nigra*), and many fennel (*Foeniculum vulgare*) with herbicide and mechanical methods
- We installed and maintained drainage pipe from sub-drain outfall at edge of Village X to riparian area in center of parcel
- We continued to mow crown daisy (*Chrysanthemum coronarium*) in Village H
- We coordinated weed treatments in Calavera Creek, Robertson Ranch East Village wetland restoration area, and Village H upland areas with RECON personnel
- We controlled weeds at Village R in preparation for a planned restoration effort
- We began installing native plants at Village R with the help of volunteers and materials supplied by City of Carlsbad Parks Dept.
- We installed 4 kiosks at key locations along HCA edges with the help of City of Carlsbad Parks Dept. and volunteers
- We contracted weed treatments in Village X parcel, adjacent to and surrounding thread-leaved brodiaea populations
- We installed erosion control structures (sandbags) in down-cutting drainages at Villages X and H
- We corresponded with HOA's and landscapers to limit irrigation runoff into the HCA, control weeds inside their property, and to stop them from dumping landscaping into CE
- We worked with City of Carlsbad Parks Dept., and Boy Scouts of America in the installation of split rail fencing at Village H
- We conducted regular patrol, site enforcement and trash pickup to protect the HCA
- We conducted a CE baseline documentation report for Robertson Ranch East and West parcels
- We conducted a CE compliance documentation report for Calavera Hills II parcels
- We began drafting a management plan to include all Robertson Ranch and Calavera Hills II parcels

## **II. Capital Improvements**

Approximately 3800 feet of 3-strand smooth wire fencing was installed along the eastern edges of Robertson Ranch East, to the east of Calavera Creek from near the storage shed to the southern limits of this parcel, south of the BJB detention basin. Another 700 feet of 3-strand barbless barbed wire was installed in Village R, to dissuade illegal activity and prepare the area for re-vegetation with natives. All fencing was signed immediately following installation.

The HCA manager worked with the City of Carlsbad to limit impacts to sensitive vegetation during the construction of a trail that crossed Village H from nearby an elementary school on Tamarack Ave., to the southwest corner of parcel at Carlsbad Village Drive. The Center pushed for extensive fencing along potential access points into sensitive habitat along the trail, and helped install approximately 800 feet of split rail fencing. Fencing was installed with the help of many volunteers, and the effort was spearheaded by the Eagle Scout candidate Ian Mortimer and his family.

The HCA manager continued communications with representatives at McMillan Homes and Brookfield Homes concerning required wildlife fencing at wildlife undercrossing at College Blvd. To date, the eastern side of College has suitable fencing to channel wildlife into the undercrossing. The western side is missing chain-link fencing on the southern end accounting to approximately 140 feet. The CE Deed (Deed, 2007), a signed agreement between Developer and the Center, stipulates 350 feet on either side of College Blvd. The Center will continue communications with Developer to ensure that the last section of required fencing is installed.

The Center worked with volunteers during National Public Lands Day on September 27, 2008 to install kiosks at key points at HCA. Four single-post Kiosks were installed altogether. One was installed at the edge of Village K along Glasgow Dr., one at the southern end of Village H along the newly installed City trail, another was installed nearby College Blvd., at the northern edge of Village U, and one was installed at the eastern end of Village U, nearby the Lake Calavera dam.

## **III. Biological Surveys**

The Center performed the first set of biological surveys in Spring 2006. The management plans outline the goals of biological monitoring at the HCA. The general goal of the monitoring activities at the HCA is to 1) collect baseline data and 2) begin to develop population trend data on individual species within the HCA, for certain taxonomic groups, and assess certain vegetation communities.

Biological surveys are described below by the following categories: reptiles and amphibians, mammals, birds, plants and vegetation communities. A discussion of the biological surveys completed during the 2007-2008 management year are described below under each appropriate category. The HCA Manager experienced a knee injury in January 2008, and underwent knee surgery in May 2008. During convalescence prior to and after surgery, surveys were done where possible. Some surveys planned did not occur due to this injury and another HCA Manager's maternity leave during the same period. The grassland habitat assessments (See CNLM 2007) were not conducted during this management year, nor were the long-term coastal sage scrub

(css) monitoring plots set up, as planned. The Center expects that these and other assessments and surveys will be accomplished during the 2008-2009 management year, as stipulated in the 2008-9 annual work plan (CNLM 2008).

**1. Reptiles and Amphibians** Reptiles and amphibians were noted anecdotally during surveys for other taxa, and during regular patrols and maintenance activities. Species detected during the year include San Diego gopher snake (*Pituophis catenifer annectens*), Red diamond rattlesnake (*Crotalus ruber ruber*).

**2. Mammals** Mammals observed during patrols included a kangaroo rat (*Dipodomys* spp), cottontail rabbit (*Sylvilagus audubonii*), California ground squirrel (*Spermophilus beecheyi*), and coyote (*Canis latrans*). Mule deer tracks were observed along Calavera Creek.

**3. Birds** Two raptor species were observed and mapped. They were seen foraging on the HCA this year (Figure 3). These include the Cooper’s hawk (*Accipiter cooperi*), a MHCP covered species, and the more common red tailed hawk (*Buteo jamaicensi*). The red-tailed hawk is nesting within the Eucalyptus woodland in Village H, as it was last year.

USFWS protocol surveys for coastal California gnatcatchers were conducted during the months of April and May on three separate days (Table 1). Survey procedure followed the USFWS accepted protocol for conducting gnatcatcher surveys. Table 1 outlines survey dates, times, and weather conditions. Surveys were conducted by Mr. Markus Spiegelberg, who holds an independent USFWS Section 10a “take” permit (787924-8) authorizing for such surveys. Sixteen pair of gnatcatcher were observed during these surveys (Figure 3). Fifteen pair and one male were observed in the spring of 2007.

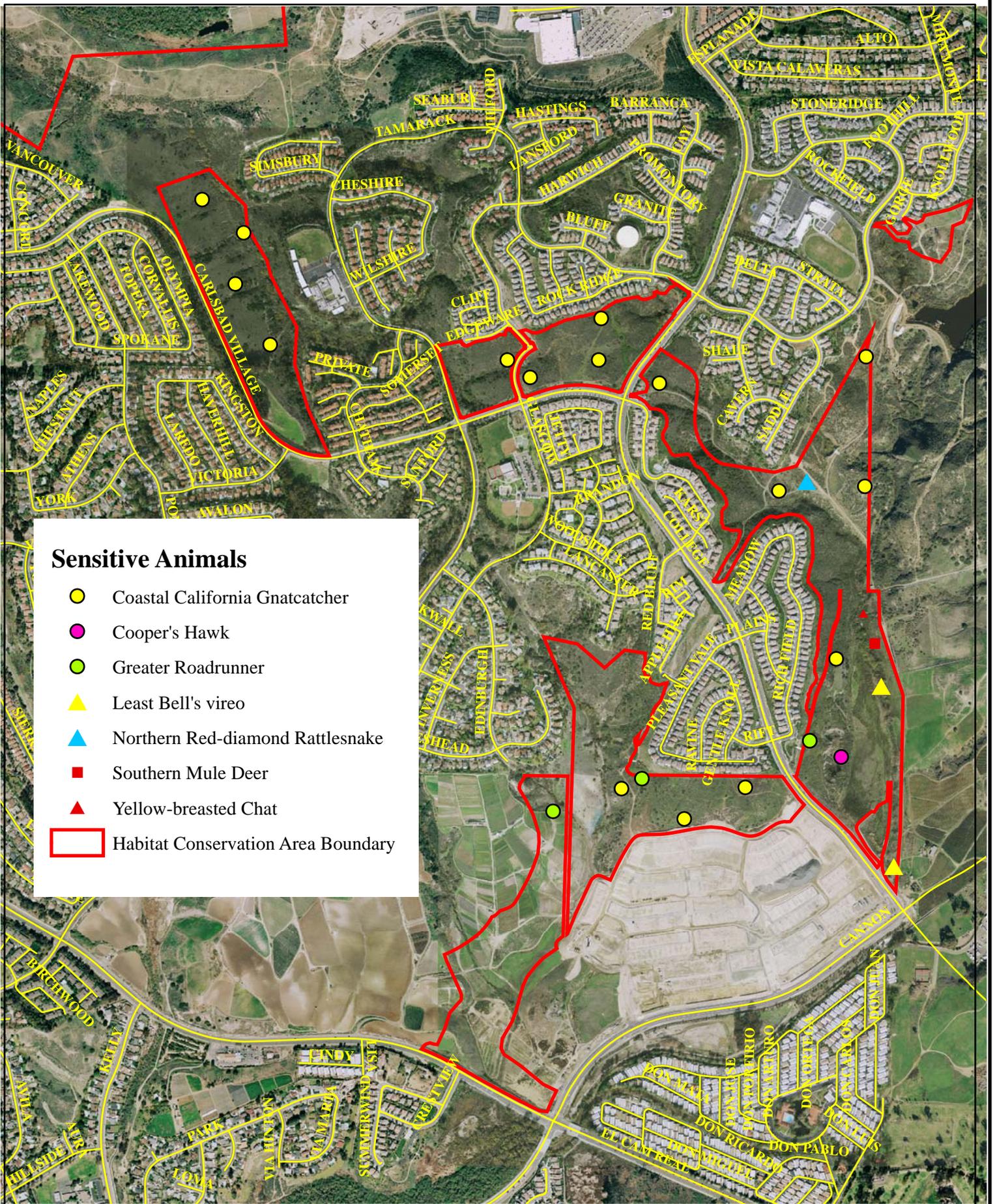
**Table 1. 2008 USFWS Coastal California Gnatcatcher Surveys**

Date	Time	Weather
April 7, 2008	6:30 am -11:30 am	53-65 F; wind 0-5 mph; overcast to clear
April 8, 2008	7:45 am - 11:30 am	57-61 F; wind 2-5 mph; overcast
April 21, 2008	6:30 am – 12:00 am	55-70 F; wind 0-1 mph; clear

Other notable bird species include nesting violet green swallows (*Tachycineta thalassina lepida*), which were observed in the sycamores along Calavera Creek, one pair and one male least Bell’s vireo (*Vireo bellii pusillus*), which were observed along the lower portions of Calavera creek (Figure x), a yellow breasted chat (*Icteria virens auricollis*), and a greater roadrunner (*Geococcyx californianus*).

**4. Plants and Vegetation Communities**

**San Diego thornmint** The HCA Manager found a previously unknown occurrence of San Diego thornmint very nearby the northwest corner of Village X on May 13, 2008 (Figure 4).



**Sensitive Animals**

- Coastal California Gnatcatcher
- Cooper's Hawk
- Greater Roadrunner
- ▲ Least Bell's vireo
- ▲ Northern Red-diamond Rattlesnake
- Southern Mule Deer
- ▲ Yellow-breasted Chat
- Habitat Conservation Area Boundary

Figure 3. Sensitive Animals Observed in 2008  
 Calavera Hills and Robertson Ranch Habitat Conservation Area.  
 Carlsbad, CA

350 175 0 350 Feet



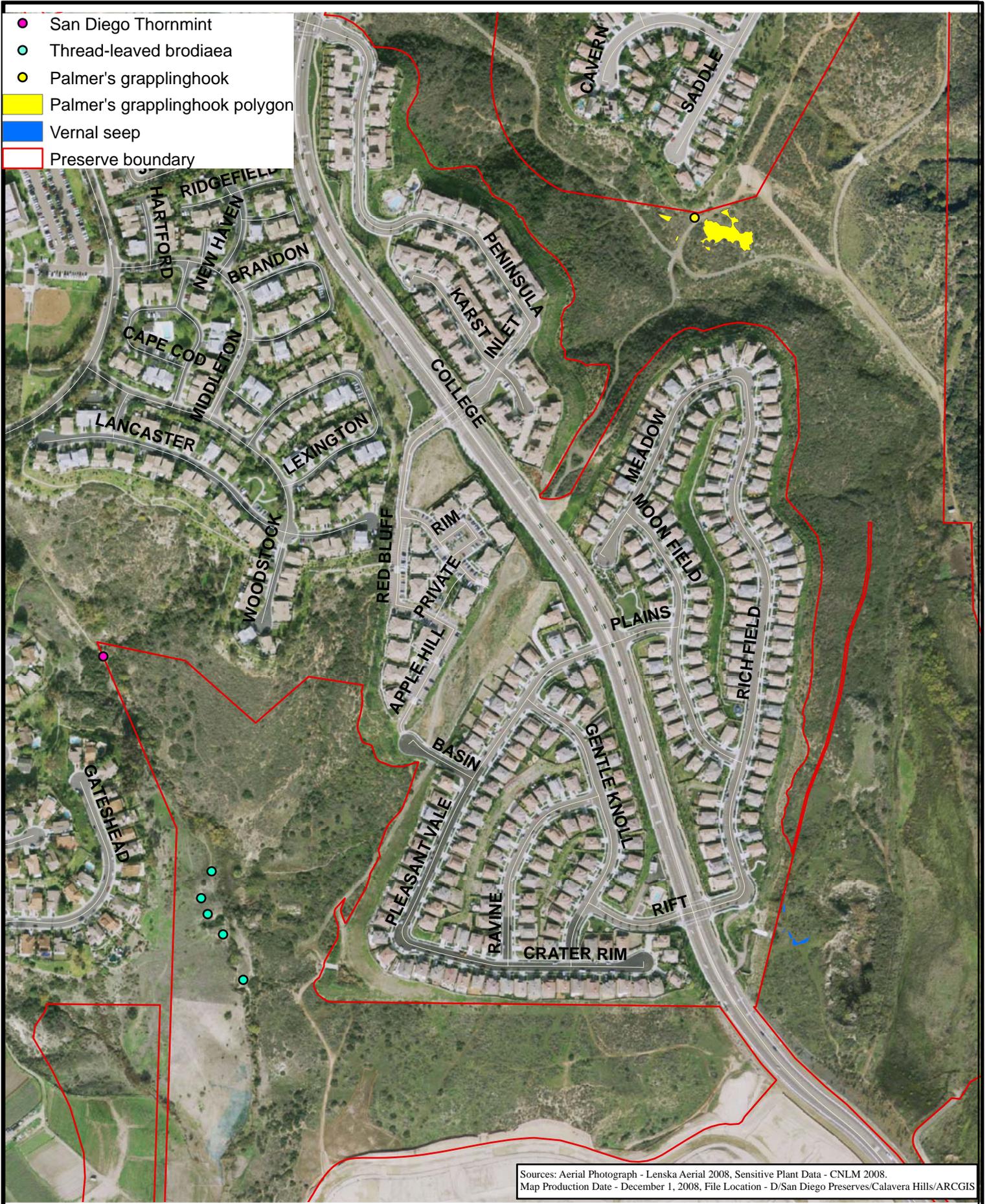


Figure 4. Sensitive plant and vernal seep locations 2008  
 Calavera Hills and Robertson Ranch Habitat Conservation Area  
 Carlsbad California

300 150 0 300 Feet



Only two individuals were observed, and a thorough search yielded no other individuals. RECON 2001 lists this species as having a low potential for occurrence in the HCA. CNLM 2008 lists actions planned for next management year concerning this species. Center will work with the wildlife agencies to assure this location remains viable through seed collection and propagation efforts.

**Thread-leaved brodiaea** Previously unknown occurrences of thread-leaved brodiaea were documented in Village X parcel during May 2008 (Figure 4). These were based on flowering individuals, since there is some uncertainty involved with specific identification in vegetative stages. The total count of flowering individuals was 23.

Surveys for thread-leaved brodiaea previously known to occur in Village H (RECON 2001) resulted in a re-mapping of seven of the original eight populations during this management year, resulting in 12 polygons, and 8 points (Figure 5). Among these polygons, vegetative counts occurred in 9, while two polygon population numbers were estimated. All point localities were counted. One large polygon was neither counted nor estimated, and will be quantified in a future management year. Based on these vegetative counts and estimates, at least 2,243 individuals are known to exist in Village H. Previous estimates/counts of flowering number by RECON (2001) reports a maximum of 300 individuals (1995), and a minimum (1991) of 200 individuals. If roughly 10 percent of individuals flower on an average year, this would suggest that previous flowering estimates or counts were relatively accurate.

**Other Sensitive Plant Species** One population (along with smaller polygons opposite the SDGE service road) of Palmer's grapplinghook was censused and mapped in Village U that was mapped during initial surveys (RECON 2001), and during the previous management year (Figure 4). The spring of 2008 was generous in the timing and frequency of rainfall events, and thus the census resulted in a much higher estimate than were counted in 2007. The estimate totals 10,425 individual plants in the largest polygon, and 108 directly counted in the other locations across the road. Census estimations on the large polygon were accomplished using a ½ by 1 meter subplot placed in systematic random locations throughout the populated area (three transects). Estimates then were made by summing the area of ½ meter counts (12 square meters total, 112 total counted), dividing into the total area of mapped occurrences (.28 acres, or 1,133 square meters) and using this number as a multiplier by the counts.

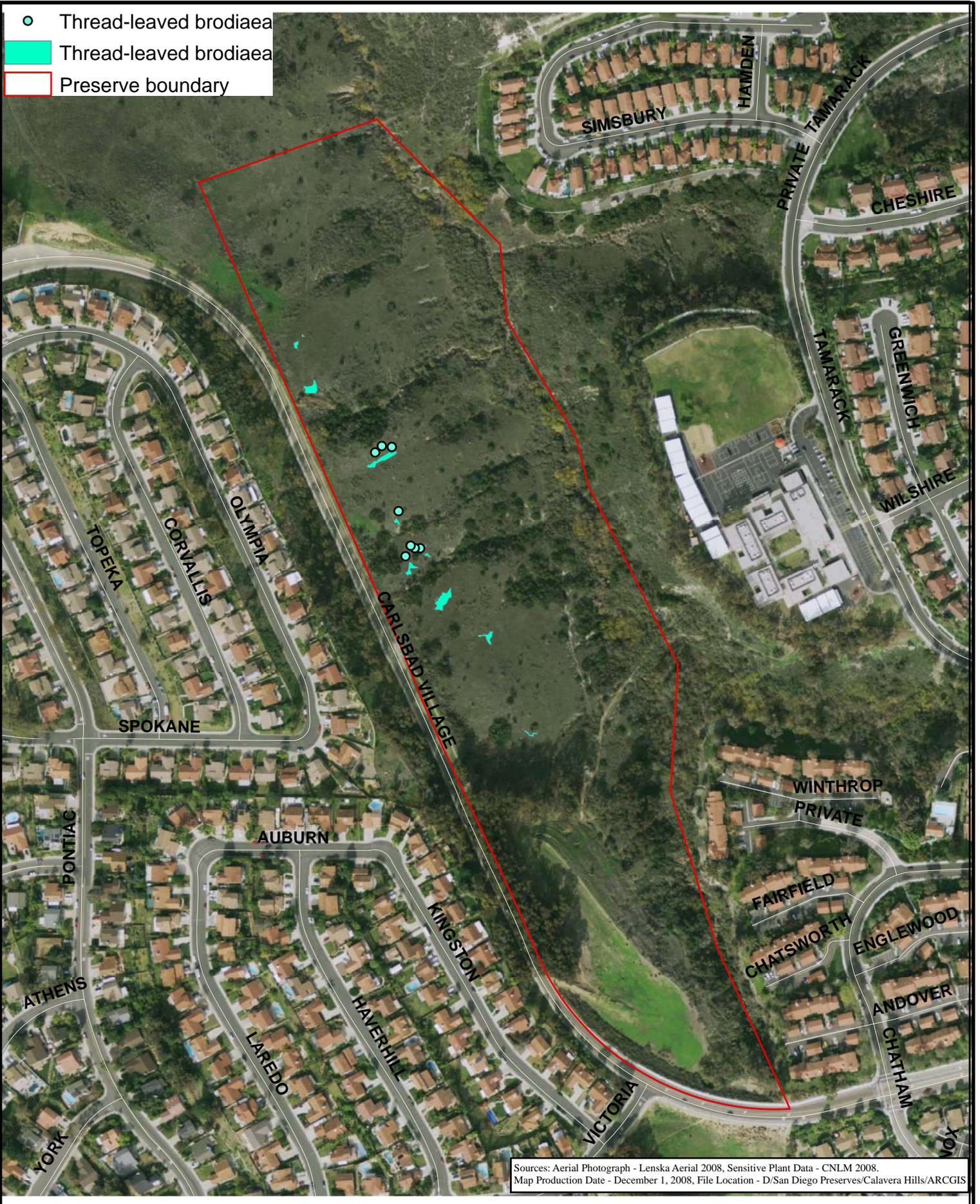


Figure 5. 2008 Thread-leaved brodiaea locations, Village H  
 Calavera Hills and Robertson Ranch Habitat Conservation Area  
 Carlsbad California

220 110 0 220 Feet



Within the Palmer's grapplinghook population were two plants not known to occur in the HCA. Golden rayed pentachaeta (*Pentachaeta aurea* CNPS list 4.2) was present in high numbers, though not censused, and small-flower microseris (CNPS List 4.2) was much limited in numbers and extent, totaling 11 individuals.

**Vernal pool surveys** The area thought to have vernal pools (Merkel & Associates 2004) was surveyed for the presence of pooling water, and indicator plants during the early spring 2008. The water level in areas where pooling was taking place was not measured. Water was flowing into and out of all pools, with the exception of one very small circular hole approximately a ¼ meter in width. No indicator species were present in this pool. The other pools did have some indicator plants present, including African brass-buttons (*Cotula coronopifolia*), Plantain (*Plantago erecta*), grass poly (*Lythrum hyssopifolium*), water pigmyweed (*Crassuala aquatica*), toad weed (*Juncus bufonius*), and water starwort (*Callitriche marginata*). Water flows in a northwest to southeast direction from adjacent development, and pools are quite shallow. For this reason, it is assumed that these are not vernal pools, but vernal seeps. They are vernal in the sense that the ground does desiccate during dry months, however. A more detailed study may take place next management year, providing adequate rainfall takes place.

#### **IV. Habitat Maintenance and Restoration**

Habitat restoration and maintenance goals for the HCA include removing nonnative plants from the HCA. For the most part the HCA is in good condition and has good native coverage. There are a number of non-native weeds that pose a persistent threat to the Preserve (Table 3, below). Through steady and thorough patrols, the Center is made aware of any new infestations as they arise, and has been steadily eradicating a number of non-native weeds from the HCA.

**Weed treatments** During the past fiscal year, approximately 400 pampas grass, 450 square feet of iceplant patches were sprayed, and approximately 300 tree tobacco plants were cut and stump-painted with herbicide. The main focus of fennel eradication has been in the newly acquired Robertson Ranch East Village parcels, the adjacent areas infested in Village X, and in Village H.

Pampas grass has been particularly troublesome in many areas of the HCA. Though several populations were eliminated, in the wet areas, more appeared throughout the summer, and many inflorescences were removed by the HCA Manager near the end of this report period in an attempt to reduce seedling establishment. As with the previous summer, many emails, and a meeting took place between HOA management (Curtis Management) and landscapers (New Way Landscaping, Inc.) responsible for HOA maintained lands in an effort to keep this species from producing mature flower stalks along the HCA edges (See section V.).

**Village H Crown Daisy Control** The Center contracted one mowing day on the southern end of Village H, where the crown daisy population has been problematic, during early summer 2008. Two sprayings took place to control crown daisy, and Bermuda buttercup in this section during the spring, one contracted to RECON, and another performed by the HCA Manager.

**Wetland Restoration Area** The wetland re-vegetation area on either side of Calavera Creek (Calavera Hills Phase II Master Plan) was previously maintained by Treebeard Landscape Inc under contract to Mcmillan Homes Inc. RECON Environmental Inc. is the biological monitor responsible for this re-vegetation. Brookfield Homes took over responsibility for the area, and D&D Wildlife Habitat Restoration, Inc. has taken over the maintenance of the site. There are two deficient areas that are planned for more planting in the near future. The site has not met the expectations of the client, due to poor weed management, failure to meet native cover requirements, and faulty irrigation (Pers. Comm. With Doug Mckinney, D&D Inc.). D&D is aware of the perennial pepperweed present inside the restoration area, and the need to perform more active weed management in general. The Center will work with D&D to ensure the eradication of perennial pepperweed from the entire basin.

**Calavera Creek** The section of Calavera Creek running through the east side of Robertson Ranch East parcel contains several weed populations, including an abundance of castor bean, poison hemlock (*Conium maculatum*), wild radish (*Raphanus sativus*), smilo grass, bromes (*Bromus* spp.), tree tobacco, and fennel. The Center contracted RECON Environmental Inc., to apply herbicide to these species and other non-natives along the entire length of this section, once during the winter, and another time during the summer of 2008.

**Village R** A large area in Village R, consisting of approximately one acre of non-native disturbed vegetation was mowed once during spring 2008. Originally, this area consisted of tall black mustard stands, with some large mature tree tobacco. The area was sprayed by RECON personnel twice, and by the HCA Manager twice through the summer 2008. Tree tobacco seedlings and stump sprouts have been very persistent. The weeds have changed from an original assortment of tree tobacco and black mustard to a predominance of late-season annuals such as prickly lettuce (*Lactuca serriola*), horseweed (*Conyza Canadensis*), white tumbleweed (*Amaranthus albus*), and a curious infestation of the unwanted, but native, great evening primrose (*Oenothera elata* var. *hirsutissima*). Most were treated before going to seed.

460 native plants were installed in the Village R restoration area prior to the close of this management year. Among these were 300 saltgrass (*Distichilis spicata*), 75 goldenbush (*Isocoma menziesii*), and 85 sand aster (*Chorethrogyne filaginifolia* var. *filaginifolia*). This is less than half the number planned for the remainder of the fall planting schedule, as several other native grasses, shrubs, and forbs will be installed in late October/early November 2008.

**East Village native grassland disturbance** A small area of purple needlegrass (*Nassella pulchra*) grassland was weed-whipped by restoration crews during the fall of 2007 (Appendix 1). The crews responsible for this activity were working well outside of a designated restoration area, and were mistaken in carrying out clearance work here. A CE Amendment (Appendix 1) stipulated the terms of the restoration required and agreed by project proponent, McMillan Companies LLC. During this management year, nothing was done by project proponent or their contractors to correct the situation. The result is that non-native forbs and grasses have filled in much of the space made available by weed whipping. HCA Manager met with McMillan and assigned contractors (Greg Evans, Planning Systems, and Douglas Mckinney) in August 2008 to clarify objectives, walk the area impacted, and discuss how best to accomplish restoring the site back to functioning native grassland.

**Table 2. Current threats to HCA**

Threat	Locations	Size or Severity	Actions 2007-2008 Management Year	Planned Actions
<b>Weeds</b>				
Pampas grass H (R)	HOA managed slopes, recruits continually from airborne seed	<ul style="list-style-type: none"> <li>•Entire irrigated edge of HCA</li> <li>•All drainages</li> </ul>	<ul style="list-style-type: none"> <li>•Continued work with HOA management, homeowner outreach Landscapers removed and treated hundreds in Village U, W, late summer 2008</li> </ul>	Where necessary, inflorescence removal by HCA Manager during late summer 2009 Continue chemical treatment and pressure on HOA management, homeowner outreach
Perennial pepperweed ( <i>Lepidium latifolium</i> ) H (R)	<ul style="list-style-type: none"> <li>• Calavera Cr.,</li> <li>•HOA managed slopes above Robertson Ranch East</li> </ul>	<ul style="list-style-type: none"> <li>•24 sq. feet altogether, in 4 isolated locations along upper bench</li> <li>•Small infestation on irrigated slopes</li> </ul>	Continued work with contractors, HCA Manager also treated	Will ensure quarterly treatment and experiment with tarp techniques to starve plants for light
Saltcedar ( <i>Tamarix ramosissima</i> ) H (R)	<ul style="list-style-type: none"> <li>•West Village drainage,</li> <li>•sporadic Calavera Cr.</li> <li>•Siltation basin Robertson Ranch East Village</li> </ul>	<ul style="list-style-type: none"> <li>•Approx. 250 linear feet of drainage</li> <li>•Sporadic at East Village</li> </ul>	<ul style="list-style-type: none"> <li>•About ¼ removed by developer</li> <li>•Worked with HOA crews in eradicating from Preserve edge</li> </ul>	Will contract removal crews summer 2009 for remainder of drainage <ul style="list-style-type: none"> <li>•Will contract crews to eradicate from parcel, HCA Manager will also follow up treatments</li> </ul>
Castor bean L (R)	<ul style="list-style-type: none"> <li>•Calavera Cr, •edges of HOA managed slopes</li> </ul>	Largely contained, hundreds of juveniles continue to sprout	Treated winter and summer 2008 along Calavera Creek	More treatments planned for summer 2009
Giant reed ( <i>Arundo donax</i> ) H (R)	Calavera Cr.	Only one locality	Sprayed winter, summer 2008	Almost eradicated, HCA Manager will spray twice during 2009
Fennel H (G, CSS, R, F)	Village H, Edges of Village K, Village U, Village W	Largely contained, but thousands remain, throughout all parcels	Treated Spring 2008, Village X, U, W, R	Contract annual treatment in Vill. H, K. HCA Manager will treat Village U, W.
Saharan mustard ( <i>Brassica tournefortii</i> ) H (CSS, F, G)	Western edge Robertson Ranch East	Small infestation along SDGE access road.		HCA Manager will work toward limiting spread through pulling or cutting prior to seed maturity
Artichoke thistle M (G, CSS)	Village H, Village X, Robertson Ranch East	Almost eradicated, estimated at three-dozen	Robertson Ranch population and Village X treated spring 2008	Contract annual treatment in Vill. H, Village X, Robertson Ranch East
Hotentot fig ( <i>Carpobrotus edulis</i> ) H (CSS, R)	Village K, Robertson Ranch	Likely eradicated, formerly 3 large patches	Robertson Ranch, Village K treated fall/winter 2007-2008	Track re-sprouts
Tree tobacco M (CSS, R)	Calavera Cr., Village R, waste area Vill H	All disturbed areas, hundreds remain	Treated Robertson Ranch, Village H, Village R several times through summer 2008	HCA Manager will cut and stump spray where found, disallow seed production
Bermuda buttercup ( <i>Oxalis pes-caprae</i> ) M (G, R)	Village H, Village R	Open areas, upper edges of native grassland and southern ¼ of Village H	Thousands sprayed Spring 2008 at Village R, H	Contract annual treatment in Village H, HCA Manager will control in Village R
Water Drainage	Village U, X, Robertson Ranch East, east of College Blvd., Robertson Ranch western parcel	Two locations in Village X, totaling roughly ½ acre of damage to native shrub cover	<ul style="list-style-type: none"> <li>•Meetings with HOA management, emails, commitments to attempt draw-down on overwatering</li> <li>•Installation of water conveyance</li> </ul>	Continued work with HOA management, homeowner outreach

			along sub-drain outfall area, central Village X, fall 2007	
Itinerants	Robertson Ranch East, southern edge of Village X, Village K	One location at Robertson Ranch East, wash area along drainage at Village X, occasional at Village K	One posting in East Village, three in Village K Cleaned out 3 encampments	Frequent patrol, posting, and removal. Work with Carlsbad Police in arresting returning itinerants
Other	Marijuana growth Village W	20 plants total	Carlsbad Police called in to remove and report	Frequent patrol, prompt reporting and removal
	Unwanted trespass Village U, Village R, Village H		Fencing, signage placed at Village R, Fencing placed at Village H Information kiosks placed at four more locals throughout Preserve	Continued fencing maint. at Village H, Village R, potential fencing addition at Village H, Village U Frequent patrol

H, M, L refer to California Invasive Plant Council rankings, and potential severity of plants, if present. H=high, M=moderate, L=limited

- **High** – These species have severe ecological impacts on physical processes, plant and animal communities, and vegetation structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal and establishment. Most are widely distributed ecologically.
- **Moderate** – These species have substantial and apparent—but generally not severe—ecological impacts on physical processes, plant and animal communities, and vegetation structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal, though establishment is generally dependent upon ecological disturbance. Ecological amplitude and distribution may range from limited to widespread.
- **Limited** – These species are invasive but their ecological impacts are minor on a statewide level or there was not enough information to justify a higher score. Their reproductive biology and other attributes result in low to moderate rates of invasiveness. Ecological amplitude and distribution are generally limited, but these species may be locally persistent and problematic.

Letters in parentheses represent what habitats these invasive plants threaten: G=native grassland, R=riparian, CSS=coastal sage scrub, F=native forb vegetation associations

## V. Public Service

Public service activities have included patrolling the HCA in an attempt to control dumping and associated vandalism. In addition, public services include trash pick up and talking with neighboring home owners who have questions or concerns regarding the HCA.

The HCA was patrolled at least 3-4 times per month. During each visit the HCA was surveyed for illegal activities, trash was picked up, and nonnative, invasive plants were killed.

**HOA/Landscaper Outreach** The landscaping bordering the HCA is typically high-water use. The result of this hydrophilic vegetation is excess water seepage into our HCA edges, which will replace dry-adapted vegetation with wetland vegetation. In certain locations, this process has already begun, and the Center has initiated outreach to reverse this. The Center has sent numerous emails, made several phone calls, and attended meetings with landscaping contractors and HOA representatives regarding this matter, and the management of weeds. The HCA Manager has finally begun to garner full cooperation with HOA Managers concerning pampas grass along HOA maintained slopes above the HCA in Villages U, W, and Robertson Ranch parcels. HOA managers are aware of seepage issues, and are working with HCA Manager to

reduce or eliminate these issues over time. As an example of faithful cooperation, the large seepage along the southwest edge of the Ravinia development has been almost completely stopped to date.

## **VI. Reporting**

Reporting includes all data analysis, GIS and remote sensing, regional coordination, photo documentation activities, budget and financial status. Data that have been entered into digital databases include survey (plant and animal) data. CNLM has received and digitized (GIS) all CE boundaries, vegetation communities and sensitive species biotechnical reports of the properties.

**CE Compliance monitoring** A Baseline CE documentation report was prepared for the Robertson Ranch West and East Village parcels this management year (Appendix 2). A CE compliance report was also drafted for the Calavera Hills Parcels (Appendix 3). The CE compliance binder contains baseline documentation (including photo viewpoints) and CE monitoring procedures. If a CE violation occurs, the baseline documentation, and subsequent yearly documentation provide the necessary evidence to prove that violation occurred. The monitoring policy included in the CE binder was designed to standardize the Center's monitoring of CE properties. It ensures that all CE properties are being managed appropriately while ensuring continuity amongst Center staff. In future years' reporting, the annual CE documentation report will cover all HCA parcels.

**Annual Report** This report represents the first annual report for the entire HCA (both Calavera Hills and Robertson Ranch areas). An annual report was completed for the Calavera Hills HCA activities that occurred during the partial year of work in 2006.

**Annual Work Plan** An annual work plan for the next fiscal year was provided to the wildlife agencies in October of 2008.

**Budget/Financials:** The total expenditures for 2007-2008 were \$68,476 of a planned budget of \$64,408. The additional \$4,000 spent represents spending associated with the acquisition and preliminary management activities that occurred on the Robertson Ranch West Village Phase I property, which closed escrow in January of 2008. The budget for this area was not included in the fiscal year budget as this area had not been acquired at the time of budget development.

As of just a year ago, the endowment was keeping up with inflation (Table 3). However, the endowment has declined in the last year as a result of the current financial crisis in the United States. The Center is working at cutting budgets to ensure that there will be sufficient funds for future management. In addition, the Center still has 2 years of Initial and Capital for the project, and thus, will not be using interest generated from the endowment for 2 years. This action is intended to allow the endowment to recover before using interest it provides.

**Table 3. Endowment Status**

<b>Project</b>	<b>Inception Date</b>	<b>Original Endowment</b>	<b>Endowment as of 11/30/07</b>	<b>Endowment as of 10/31/08</b>	<b>Initial and Capital as of 10/31/2008</b>	<b>Total Preserve Funds</b>	<b>Inflation Adjusted Endowment as of 10/31/08</b>
Calavera Hills/Robertson Ranch	6/2006-1/2008	\$1,650,293	\$1,873,315	\$1,340,812	\$153,864	\$1,494,676	\$1,745,823

## **VII. Summary and Discussion**

Management of the HCA continues to be successful by protecting it from human encroachment, building baseline biological data, and developing a better understanding of the HCA and its regional context. HCA Management in next year will continue in a similar fashion as this year. A detailed work plan for the next fiscal year has been developed for this purpose.

## **VIII. References**

CNLM. 2007. Calavera Hills and Robertson Ranch Habitat Conservation Area Annual Report 2006-2007. Center for Natural Lands Management. December, 2007.

CNLM. 2007. Calavera Hills and Robertson Ranch Habitat Conservation Area Annual Work Plan 2007-2008. The Center for Natural Lands Management. October, 2007.

CNLM. 2008. Calavera Hills and Robertson Ranch Habitat Conservation Area Annual Work Plan 2008-2009. The Center for Natural Lands Management. October, 2008.

Conservation Easement Deed. 2007. Document # 2007-0119540. Conservation Easement Deed (Robertson Ranch East Village). San Diego County Recorder's Office. Pp. 36. February 2007.

Planning Systems. 2007. Final Draft Robertson Ranch West Village Open Space Preserve Land Management Plan. September 2007.

Planning Systems. 2006. Final Draft Robertson Ranch East Village Open Space Land Management Plan. November 2006.

Planning Systems. 2002. Calavera Hills Phase II Final Habitat Management Plan. October 2002.

Recon. 2001. Revised Biological Technical Report for the Calavera Hills Master Plan Phase II, Bridge and Thoroughfare District, and Detention Basins Carlsbad, California. January 2001.

## **IX. Appendices**

**Appendix 1. Conservation Easement Amendment: Adverse impact to native grassland**

## Center for Natural Lands Management

A non-profit organization for the protection and management of natural resources

215 West Ash Street  
Fallbrook, CA 92028-2904  
Phone: 760.731.7790  
Fax: 760.731.7791  
www.cnlm.org



February 21, 2008

Mr. Don Mitchell  
First Vice President  
McMillin Companies, LLC  
2750 Womble Road  
San Diego, CA 92106

**Re: Calavera Hills Preserve, San Diego County [S031]  
Robertson Ranch East Unit of  
Conservation Easement Amendment  
Adverse Impact to Preserve Grassland**

Dear Mr. Mitchell:

The purpose of this letter is to document your agreement with Center for Natural Lands Management ("Center") as to the following:

A. Consulting Services. McMillin Companies, LLC ("McMillin") agrees to pay to Center immediately upon receipt of invoice in an amount not to exceed \$2,500.00 for consulting services relating to the above described two matters.

B. Adverse Impact to Preserve Grassland. On or about November 5, 2007, a small area of native grassland within the Robertson Ranch East Unit of the Calavera Hills Preserve ("Preserve") was damaged – "weed whipped" – by a party which may or may not have been a landscaping contractor working for McMillin Companies, LLC ("McMillin"). The impacted area ("Impacted Area") is depicted in Exhibit A and our assessment of the damage is described in Exhibit B entitled "Robertson Ranch East Village Nature Preserve Grassland Impact Statement and Restoration Requirement," both attached to this letter agreement.

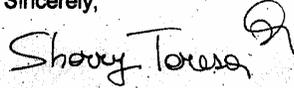
The Impacted Area needs to be restored to its "Natural Conditions," as that term is described in §1(b) of the December 6, 2006 Conservation Easement recorded March 1, 2007 as Document #2007-0140005 in the Official Records of the San Diego County Recorder's Office. In the event that by June 2010 natural restorative processes have not returned the Impacted Area to the Natural Condition, Center and McMillin agree that McMillin will immediately initiate enhance and restoration activities under the direction of a qualified restoration biologist to return the Impacted Area to its Natural Condition as reasonably determined by Center to its satisfaction.

*Rise early, stay late and take care of the land.*

Mr. Don Mitchell, McMillin Companies, LLC  
February 21, 2008  
Page 2 of 2

If you agree with these terms, please execute below and return to the attention of Ms. Isabella Gelmi (igelmi@cnlm.org).

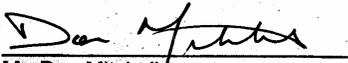
Sincerely,



Sherry Teresa  
Executive Director

Attachments

Accepted:



SR. Mr. Don Mitchell  
First Vice President  
McMillin Companies, LLC  
Date: February 22, 2008

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Exhibit B

Robertson Ranch East Village Nature Preserve Grasslands  
Impact Statement and Restoration Requirement

A. Rational

On 6 February, 2008, the impact area was visited by CNLM's Preserve Manager Patrick McConnell, for the purpose of assessing the degree of damage done during the encroachment of the previous fall, 2007. The objective was to get an estimate of the number of native grass clumps damaged, to assess the degree, if any, of native grass mortality and non-native plant encroachment following the disturbance.

The impact area was high quality native grassland dominated by purple needlegrass (*Nassella* sp.). The needlegrass was extremely dense. Adjacent native grassland areas which were not impacted, are very similar, and also of high quality, and provide suitable information to support our analysis provided below, and to provide baseline data for Grantor's restoration requirement.

B. Estimation methodology

The majority of the extant grassland (*Nassella* sp.) was weed-whipped, and thus the margins of the grassland were sampled concurrent to the disturbed grassland. Sampling within both the non-disturbed, and disturbed grassland was carried out randomly. One transect was installed that ran from the northern boundary of the grassland, through the center of the disturbed area. A .5 by 1 meter plot was used to record point-intercept data on standing cover by species, ground cover (litter, bare ground), and to estimate total number of sprouting *Nassella* both within the disturbed and undisturbed areas along the transect. The transect was set up to begin in the native cover by choosing east-west placement of the start-point using a random number table. The direction of transect travel from the start point was determined by running the transect tape along a randomly determined azimuth with the use of a compass. A random number table was also used to determine the distances along this transect, in which to record cover and count estimates. Three sub-plots were recorded in the undisturbed area, and three sub-plots were recorded in the disturbed area.

C. Results

The area of impact was mapped using a sub-meter accuracy geographic positioning device by walking the exact boundaries. This boundary was then overlain onto a recent aerial coverage (See figure). The approximate area of the impact is 0.18 acres. Based on our method, we calculate an average of 13 plants per square meter. Thus, considering the counts taken within the plots and

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the total acreage impacted, the estimate of impacted *Nassella* clumps is approximately 9,700 individuals.

The effects of the weed-whipping are clearly seen, and the estimates derived from random sampling appear to verify what is readily observed taking place on-site. The non-disturbed area has low non-native cover (8 percent) and much higher native cover (34 percent). The disturbed area is appearing roughly opposite of this, at 47 percent and 5.5 percent non-native and native cover, respectively. The non-disturbed area *Nassella* cover is estimated at 24 percent, while the disturbed area is currently estimated at 5.5 percent. The native cover component within the weed-whipped area is composed almost solely of *Nassella* clumps. The disturbance appeared to either stunt the seasonal recovery of the *Nassella*, or perhaps kill some, since sprouting clumps were more numerous within the non-disturbed area than the disturbed area. The counts of *Nassella* roughly equal one-another inside, and outside the disturbed area. This further lends credence to the belief that the grassland was in good condition prior to impact. Additionally, the Preserve Manager spent time within this grassland during the spring of 2007 removing fennel and artichoke thistle weeds, and thus has good recall of the previous condition of the grassland. The removal of native grass thatch and biomass has led to more available light, and thus, the non-native seed source has taken advantage. The dominant non-natives are red brome (*Bromus madritensis*) and black mustard (*Brassica nigra*).

#### D. Restoration Requirement

A combination of hand-removal and spot herbicide application will be required until such time that the non-native cover within the disturbed area is within 5 percent of that displayed in the non-disturbed area. In other words, Grantor will need to manage the weed levels immediately to ensure that the native grassland recovers appropriately.

Concurrently, if by the spring 2009, the *Nassella* cover within the disturbed area is 25 percent less than that estimated within the non-disturbed area, planting will be required, and actions will need to be undertaken to ensure the survival of these plantings up to three years (2012). It is further recommended that contractors carrying out estimates of cover take these estimates in the early spring/late winter, following ample rains. This latter requirement will ensure that contractors attain sufficient data concerning non-natives as well as natives.

**Appendix 2. Baseline CE Documentation: Robertson Ranch West and East Village Parcels**



## Center for Natural Lands Management Conservation Easement

### Baseline Documentation Report And First Year Compliance Report

Easement Name: Robertson Ranch East Village, and Robertson Ranch West Village Phase 1 PA 23C (as part of the Calavera Hills and Robertson Ranch Habitat Conservation Area):

CNLM Preserve Number: S031

Date CE conferred to CNLM: East Village: 6 December 2006,

West Village Phase 1 PA 23C: 18 December 2007

Acres: 103.35 Area determined by: ( ) Survey; (X) Deed; ( ) Tax map; ( ) Other

APN(s): \_208-010-36; 168-050-47; 168-050-56

CE Recording number: 2007-0119540 (East Village) 2007-0786167 (West Village)

Location: Road: Cannon Road

Town: Carlsbad County: San Diego

USGS Quad(s): San Luis Rey

Township/Range/Section: S 12S 04W 04

#### East Village:

##### Landowner(s) (Grantor) Information

Name: Calavera Hills II, LLC

Address: C/O Brookfield Homes  
12865 Point Del Mar, Suite 200  
Del Mar, CA 92104

Attn: Dave Pool or Greg McDonnell

Phone: Telephone: (858) 481-8500

email: [dpoole@brookfieldhomes.com](mailto:dpoole@brookfieldhomes.com); [GMcDonnell@brookfieldhomes.com](mailto:GMcDonnell@brookfieldhomes.com)

#### West Village Phase I PA 23C (multiple owners):

##### Landowner(s) (Grantor) Information

Name: Robertson Family 1995 Trust & other Declaration of Trust dated October 8, 1976.

Attn: Co-Successor Trustees: Mr. Brian Robertson, Mr. Gary Robertson,

Address: 29408 Paso Robles  
Valley Center, CA 92082

Phone/Fax: Unknown

Name: The Elsie M. Kelly Irrevocable Trust dated June 19, 1989.  
Attn: Co-Successor Trustees: Mr. Brian Robertson, Mr. Gary Robertson,  
Address: 29408 Paso Robles  
Valley Center, CA 92082  
Phone/Fax: Unknown

Other contact information:

Landowner(s) (Grantor) Information

Name: Mr. Gary Robertson  
Address: 4129 Del Mar Trails  
San Diego, CA 92130  
Phone/Fax: Unknown  
email: greasy3cat@aol.com

Name: Mr. Brian Robertson  
Address: 1060 Old Avon Road  
Deary, ID 83823  
Phone/Fax: Unknown  
email: brianandpam@cpcinternet.com

Landowner(s) Consultants or Lawyers:

Name: Alan J. Zuckerman, Esq  
Address: Musick, Peeler & Garrett LLP  
225 Broadway, Suite 1900  
San Diego, CA 92101-5028  
Phone/Fax: Telephone: (619) 525-2529 Facsimile: (619) 231-1234  
email: Unknown

and,

Name: Mr. Ken Cablay\_  
SeaBourne Development  
Address: 701 Palomar Airport Road, #300  
Carlsbad, CA 92011  
Phone/Fax: Telephone: (760) 931-5616 Facsimile: (760) 931-4850  
email: kcablay@seabournecorp.com

Third Party Beneficiary (if applicable): California Dept. of Fish and Game

Address: 949 Viewridge Ave.  
San Diego, CA 92123  
Contact: Regional Manager  
Phone/Fax: Telephone: (858) 467-4210 Facsimile: (858) 467-4299

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Third Party Beneficiary (if applicable): U.S. Fish and Wildlife Service

Address: 6010 Hidden Valley Road  
Carlsbad, CA 92009  
Contact: Field Supervisor  
Phone/Fax: Telephone: (760) 431-9440 Facsimile: (760) 918-0638

Supporting documents on file:

- (X) Topographic map
- (X) Survey map
- (X) Aerial photo
- ( ) Film photos
- (X) Digital photos
- ( ) Other (explain) \_\_\_\_\_

Threatened (T) and Endangered (E) species on site; other conserved species:  
List vegetation types and approximate acreages:

**(Merkel & Associates, 2004). East and West Village Parcels**

Special status faunal species known to occur at Robertson Ranch  
(Merkel & Associates, 2004). East and West Village Parcels

Species	Common name	Federal status	State status	HMP listed
<i>Poliottila californica californica</i>	Coastal California gnatcatcher	FT	SSC	Yes
<i>Vireo bellii pusillus</i>	Least Bell's Vireo	FE	Endangered	Yes
<i>Aspidoscelis hyperythrus beldingi</i>	Orange-throated whiptail		SSC	Yes
<i>Accipiter cooperi</i>	Cooper's hawk		SSC	Yes
<i>Lanius ludovicianus</i>	Loggerhead shrike	FSC	SSC	No
<i>Elanus Leucurus</i>	White-tailed kite	FSC	FP	No
<i>Circus cyaneus</i>	Northern harrier		SSC	No
<i>Aimophila ruficeps canescens</i>	So. Ca. Rufous-crowned sparrow		WL	Yes
<i>Amphispiza belli belli</i>	Bell's sage sparrow	FSC	WL	No
<i>Dendroica petechia brewsteri</i>	Yellow warbler		SSC	No
<i>Icteria virens</i>	Yellow-breasted chat		SSC	Yes
<i>Neotoma lepida intermedia</i>	San Diego desert wood rat		SSC	No

FT = Federally listed as Threatened, FE = Federally listed as Endangered, FSC = Federal Species of Concern, SSC = California Dept. of Fish and Game (DFG) Species of Special Concern, FP = DFG Fully Protected, WL = DFG Watch List.

**Special status floral species observed onsite (Merkel & Associates, 2004). East and West Village parcels**

Species	Common name	Federal/State status	CNPS status	HMP listed
<i>Juncus acutus</i> ssp. <i>leopoldii</i>	Spiny rush	None	4.2	No
<i>Adolphia californica</i>	California adolphia	None	2.1	No
<i>Dichondra occidentalis</i>	Western dichondra	None	4.2	No

**Existing and planned vegetation at Robertson Ranch (Planning Systems, 2007)**

	East Village acres	West Village acres	Robertson Ranch Total acres
<b>Existing Native Vegetation</b>			
Coastal Sage Scrub (css)	28.4	22.3	50.4
Chamise chaparral	1.7	0	1.7
Riparian	6.1	2.5	8.6
<b>Revegetation (css, riparian)</b>	24.6	36.4	61.0
<b>Non-native grasslands</b>	3.6	4.1	7.7
Trails	.5	.5	1.0
<b>Total</b>	<b>64.9</b>	<b>65.8</b>	<b>130.7</b>

**Non-native, invasive plants found on-site**

Species	Common name
<i>Carpobrotus edulis</i>	Hottentot-fig
<i>Mesembryanthemum chrystalinum</i>	Slender-leaved Iceplant
<i>Conium maculatum</i>	Poison hemlock
<i>Foeniculum vulgare</i>	Fennel
<i>Carduus pycnocephalus</i>	Italian thistle
<i>Centaurea melitensis</i>	Tocalote
<i>Cirsium vulgare</i>	Bull thistle
<i>Cynara cardunculus</i>	Artichoke thistle
<i>Silybum marianum</i>	Milk-thistle
<i>Brassica nigra</i>	Black mustard
<i>Atriplex semibaccata</i>	Australian saltbush
<i>Convolvulus arvensis</i>	Bindweed
<i>Ricinus communis</i>	Castor bean
<i>Erodium</i> spp.	Filarees
<i>Eucalyptus</i> spp.	Eucalyptus
<i>Tamarix parviflora</i>	Saltcedar
<i>Bromus</i> spp.	Bromes
<i>Avena barbata</i>	Slender wild oats
<i>Cortaderia selloana</i>	Pampas grass
<i>Arundo donax</i>	Giant reed

Notes on vegetation: Much of Robertson Ranch West Village is currently in only the beginning phase of re-vegetation. Some areas within current Preserve boundaries are still in agricultural usage. Existing sage scrub vegetation in much of Robertson Ranch West Village has a moderate to large non-native plant component.

Property access:

maintained public road     unmaintained private road     private road  
 via legal Right-of-Way     no access

Public access conveyed:  pedestrian via approved trails     equestrian     bicycle  
 hunting     none     other \_Trails not open to public as of yet.

Frontage (feet of frontage on\_)

maintained public road     unmaintained public road     private road  
 lake/pond \_\_\_\_\_     river/stream \_\_\_\_\_

Boundaries:     corner monuments/pins found     blazes observed  
                   surveyed (date \_\_\_\_\_)     not defined

Comments: \_Western Boundaries of Robertson Ranch West Phase 1 PA 23C marked with wooden slats. PVC-rebar marking took place in August 2008 of western and northern edges. Currently in consultation with Seabourne Development to assure permanent marking of boundaries and updated topographic maps. Portion of the eastern boundary of the east parcel of the East Village areas was staked to allow CNLM to installed fencing along this boundary.

List building/structures on Property, including houses, sheds, barns, docks, man-made ponds, utilities, etc. List dimensions and purposes, and mark locations on map.

Old delivery vehicle exists near edge of western boundary, but is likely off the property (and will be removed by Owner), in recently abandoned agricultural use area. San Diego Gas and Electric holds an overhead utility easement through the center of West Village Phase 1 PA 23C. Several pre-existing roads service utility poles throughout both the western parcel of East Village and the West Village Phase 1 PA 23C parcel. City of Carlsbad has constructed a trail that crosses east-west through the middle of Phase 1 PA 23C parcel, and also utilizes most sections of SDGE service roads. On the southern end of Phase 1 PA 23C parcel, new SDGE service road and cement/rip rap berm has been constructed that crosses future wetland revegetation. In East Village parcel, to the east of College Ave., at the entry to BJB Detention basin, a trailhead is alluded to in planning documents, though no trails are known to be planned for through this parcel. It is assumed that this will be a parking area for access to the service road that travels north-south, following just to the east of Calavera Creek

Property condition (land use and management; unusual ecological, historical, geological, or other features; condition of any specific property areas or features that may change when property owner exercises reserved rights.) Attach more pages as necessary.

Much of West Village Phase 1 PA 23C is still in early habitat restoration phase. As of the writing of this document, only the 3.2 acre offsite sage scrub re-vegetation (Area A, as a responsibility of Brookfield Homes/Calavera Hills LLC as part of East Village habitat restoration requirements) has been installed. This site is overseen by Planning Systems, and maintained by D&D Wildlife Habitat Restoration, Inc. Sage scrub re-vegetation areas B and C are yet to be implemented. The Wetland re-vegetation area on the southern end of Phase 1 PA 23C is scheduled to begin as of this writing. The wetland re-vegetation, areas B and C are all the responsibility of Seabourne Development, under the direction of the Robertson Family Trust.

Robertson Ranch East Village parcels are in largely native vegetated state. Riparian restoration at East Village is in 3<sup>rd</sup> year of a 5-year maintenance and monitoring agreement. The maintenance has recently been awarded to D&D Restoration, and has been monitored by RECON Environmental since installation. Some re-planting of underperforming areas is still awaiting implementation. Old access road along base of fill-slope east of College Ave. is in process of being re-vegetated, and is in first or second year of 5-year maintenance and monitoring. Chain-link fencing that was required at animal undercrossing of College Ave. has been suitably installed on Eastern side of College, while the western side is still in need of approximately 120 additional feet of chain-link fencing (pursuant to the CE). CSS revegetation along fill-slopes along College Avenue are in 2<sup>nd</sup> year of 5-year maintenance and monitoring agreement. Much of CSS in East Village parcels is in good condition, with moderate amounts of non-native grasses and/or forbs. Trespass is limited. The only pressing issue with East Village is water seepage from adjacent HOA property. Center is working with HOA manager(s) to rectify this situation. Pampas grass is a recurring problem along the fill slopes adjacent to East Village parcels, but this too has been addressed multiple times with HOA manager(s), and appears to be on the mend. A Marijuana growing operation was found along the very northern edge of East Village riparian parcel, and has been reported to Carlsbad Police and removed. There is a large rusted pipe in the middle of the eastern parcel of the East Village area. It has not been removed because it would cause too much damage to the property to do so.

Another issue was the accidental weed-whipping of about 0.18 acres of native grassland in November of 2007. McMillin Companies agreed to fix the problem via a letter dated February 21, 2008 (see attached). CNLM is working with our new contacts at Brookfield to ensure that this situation is remedied as promised.

East Village Parcels have been used for itinerant/migrant worker shelters for some time previous to property transfer. Many former living areas are visible under large shrubs scattered throughout the property. Itinerant encampments continue to be a recurring problem west of College Ave., and migrant workers use East Village open space and wildlife tunnel daily as a throughway to travel from one farm to another.

Report prepared by: Patrick McConnell   
Name (printed) Signature

Date: 10/09/08

**ACKNOWLEDGEMENT OF PROPERTY CONDITION**

In compliance with Section 1:170A-14(g)(5) of the federal tax code, the undersigned accept and acknowledge that this Baseline Documentation Report is an accurate representation of the property at the time the conservation easement was transferred to the Grantee.

Landowner(s) (Grantor):  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Easement/Grantee:  
By: 

Date: 10/9/08

Title: Area Manager

Executory Interest Grantee (if applicable):  
By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**Appendix 3. CE Compliance Report Calavera Hills II parcels**

## CONSERVATION EASEMENT COMPLIANCE MONITORING REPORT

DATE OF SITE VISIT: August 7, 2008

OBSERVER: Patrick McConnell

Were Easement Documents read before site visit?      YES

PROPERTY TITLE: Calavera Hills Phase II Habitat Conservation Area

CNLM CODE#: S031

Specify which area surveyed (if not entire Preserve): Entire area

### COMPLIANCE

<u>Requirements and Compliance Checklist</u>	<u>Compliance (Yes/No/NA)</u>
<u>Specific Findings (for each Lot):</u>	Yes
• The Property is protected from general access, and active use by Owners or others?	Yes <sup>1</sup>
• Has access negatively impacted the Conservation Values?	No
• The Property is free of debris, fill materials, lawn clippings, oil, or trash of any kind.	Yes
• The Property fencing is intact and in good condition.	Yes
• No prohibited activities are occurring, including grading or alteration, domestic landscaping, or irrigation, and storage.	No <sup>1</sup>
• No disallowed improvements are present, including accessory structures, roads, utility lines, benches, equipment storage, swimming pools, dams or ponds, excavation or fill.	Yes
• No trails, picnic areas, or other recreation improvements are present, except as allowed in designated areas.	No <sup>1</sup>
• Where any disturbance or biological problems noticed (if yes, see notes)?	Yes <sup>1</sup>
• Are there any prohibited plants on the property (if yes, see notes)?	Yes <sup>1&amp;2</sup>

• Survey for wildlife species and recorded observed species (see notes)?	Yes <sup>3</sup>
--	------------------

GRAZING USED AS A MANAGEMENT TOOL? No

CONDITION OF HABITAT AND % VEGETATIVE COVER: Habitat in good condition, cover highly variable, but mostly in a native dominant state, with the exception of large portion of Village R, which is in the process of re-vegetation with native plants.

PICTURES TAKEN No, not deemed necessary at this time.

Identify photos: No boundary photos taken at baseline locations. Many photos taken across Preserve throughout year, pertaining to revegetation areas, wildlife observed, or edge issues (pampas and drainage issues). Photos saved under:

D:\CNLM San Diego\San Diego Preserves\Calavera Hills and Robertson Ranch\Calavera Hills Images

NOTES: (e.g. change in invasive species, potential violations, other changes since last visit, etc.) Include explanation of any "No" response in table above

<sup>1</sup>Village H (APN 167-101-1900): Fencing placed across trail on northern terminus during winter 2008. Little activity is observed in this parcel. Official city trail largely built that runs from southern entry in an easterly direction to nearby access at a primary school off Tamarack Ave. Center will monitor usage, and continue fencing where needed along trail.

<sup>1</sup>Village K (168-311-02): Largely unused by area residents. Small seepage issue along border with HOA maintained slopes. No dumping noticed by landscapers, little trespass. Trespass that does happen is occasional occupancy of hidden sites by itinerants<sub>2</sub>. Itinerants were cleaned out on three occasions during fiscal year. Continuing patrol will keep unwanted activities to a minimum.

<sup>1</sup>Village U (168-310-08): Small connector trail created by mountain bikers and/or hikers. Skaters use spillway of detention basin, dog-walkers leave dog waste<sub>5</sub> along allowed trails as well as in unwanted connector trails. Pampas grass <sub>6</sub> (*Cortaderia* spp.) is a problem along parcel edges, but continued work with HOA's has minimized this issue as much as is possible. Attempts will be made at closing access to illegal trails next fiscal year. Skater use has gone down, but attempt will be made to gain permission to place glue-on obstructions in spillway. Continued outreach to minimize the leaving of dog waste<sub>5</sub> will take place.

<sup>1</sup>Village W (168-310-10): Other than continuing seepage issue from adjacent HOA maintained slopes<sub>3</sub>, this parcel has no issues. HOA meetings continue to push a reduction in slope watering, and outreach with HOA newsletter community will possibly minimize drainage. Pampas grass is an issue here, and has been brought up for control by HOA manager, as has Village U.

<sup>1</sup>Village X (168-353-3100): Seepage has been a continuing problem from parcel edge in two locations. A solution to a longer known seepage area has been gained, while a newer seepage has been found along the northern boundary with Village X and the slopes below the Mariposa Apartments. The Property Manager of the apartments has been made aware of the seepage issue, as well as the pampas grass problem. An issue brought up by Baseline report that continues to be a problem is the usage of the stream at southern boundary of Village X that is being used as a bath and laundry facility. The Center continues to take clothing and bathing materials from area, and expects that this activity will cease in the near future.

<sup>1</sup>Village R (168-292-3400): Center has removed motorcross (or bmx) jumps<sub>4</sub> from parcel on two occasions during this fiscal year. Continued usage has ceased, and large waste area has been fenced off for further reintroduction of native vegetation and associated weed control efforts.

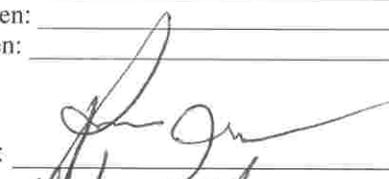
Much of the area with native vegetation that was in use by vandals has recovered from the impact. Continued patrols and sign replacement will markedly limit this activity.

<sup>2</sup>In addition to Pampas grass, other weeds present on one or more parcels include fennel (*Foeniculum vulgare*), black mustard (*Brassica nigra*), eucalyptus (*Eucalyptus* spp.), tree tobacco (*Nicotiana glauca*), artichoke thistle (*Cynara cardunculus*), and Bermuda cup (*Oxalis pes-caprae*). Most species are in decline from levels previous to when easements were granted to Center.

<sup>3</sup>Survey for sensitive species, such as the coastal California gnatcatcher (*Polioptila californica californica*), were conducted in the spring of 2008. Results from these surveys are detailed in the sites annual report.

Follow up needed? No

Assigned to: \_\_\_\_\_ Date: \_\_\_\_\_  
Initial Action taken: \_\_\_\_\_ Date: \_\_\_\_\_  
Final Action taken: \_\_\_\_\_ Date: \_\_\_\_\_

Monitor Sign.:  \_\_\_\_\_ 09/15/08

P. M. Sign.:  \_\_\_\_\_ 9/15/08