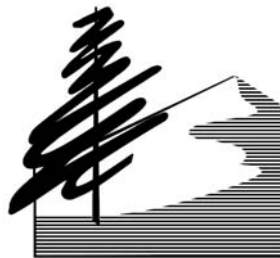


Kelly Ranch
Habitat Conservation Area
Annual Report
(S024)

October 2007 - September 2008

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

Prepared by:



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I. Introduction

This report summarizes the management activities carried out on the Kelly Ranch Habitat Conservation Area (HCA) by the Center for Natural Lands Management (CNLM) during the management year of 1 October 2007 to 30 September 2008 . The tasks and objectives discussed below are those derived from the *Kelly Ranch Habitat Conservation Area Management Plan*, prepared by CNLM in April of 2008 (CNLM 2008) and the Kelly Ranch HCA 2007-2008 Annual Work Plan (CNLM 2007a).

The HCA is located approximately two miles inland from the Pacific Ocean and lies at the east end of Agua Hedionda Lagoon (Figures 1 and 2). Roads near the HCA include Cannon Road along the northern boundaries and Faraday Avenue near the eastern boundary. The HCA (63 acres) is not one unit, but is comprised of multiple parcels varying in size from a few acres to about 15 acres that are located within the housing development of Kelly Ranch and surrounding communities (Figure 3). Most of the HCA and adjacent land was formerly known as Evans Point. The HCA was set aside to protect its habitat, coastal sage scrub and southern maritime chaparral, and the threatened coastal California gnatcatcher (*Polioptila californica californica*) as well as other sensitive plant and animal species.

CNLM began managing the HCA in March of 2002. CNLM has a conservation easement (CE) over the HCA and is fully endowed for long-term management. 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 management year results are summarized below and fully described within this report.

2007-2008 CNLM ACTIVITY SUMMARY

- We fenced off and signed a foot trail nearby upper kiosk
- We surveyed for potential occurrences of Del Mar Manzanita (*Arctostaphylos glandulosa* subsp. *crassifolia*)
- We counted and measured Orcutt's hazardia (*Hazardia orcuttii*) adults and seedlings
- We censused and mapped populations of MHCP covered species including wart-stem ceanothus (*Ceanothus verrucosus*), cliff spurge (*Euphorbia misera*), and Coast scrub oak (*Quercus dumosa*)
- We censused and mapped CNPS List 4.2 rare plants, including Palmer's grapplinghook (*Harpagonella palmeri*), western dichondra (*Dichondra occidentalis*), and California box-thorn (*Lycium californicum*)
- We controlled nonnative species including over 50 tree tobacco (*Nicotiana glauca*), 15 pampas grass (*Cortaderia selloana*), hundreds of Natal grass (*Melinis repens*), and thousands of Saharan mustard (*Brassica tournefortii*)
- We conducted regular patrol, site enforcement and trash pickup to protect the HCA
- We continued to work with the Home Owner's Association (HOA) to ensure that homeowners comply with covenants, conditions, and restrictions (CC&R's)
- We led a nature hike at HCA to increase homeowner understanding of the sites resources

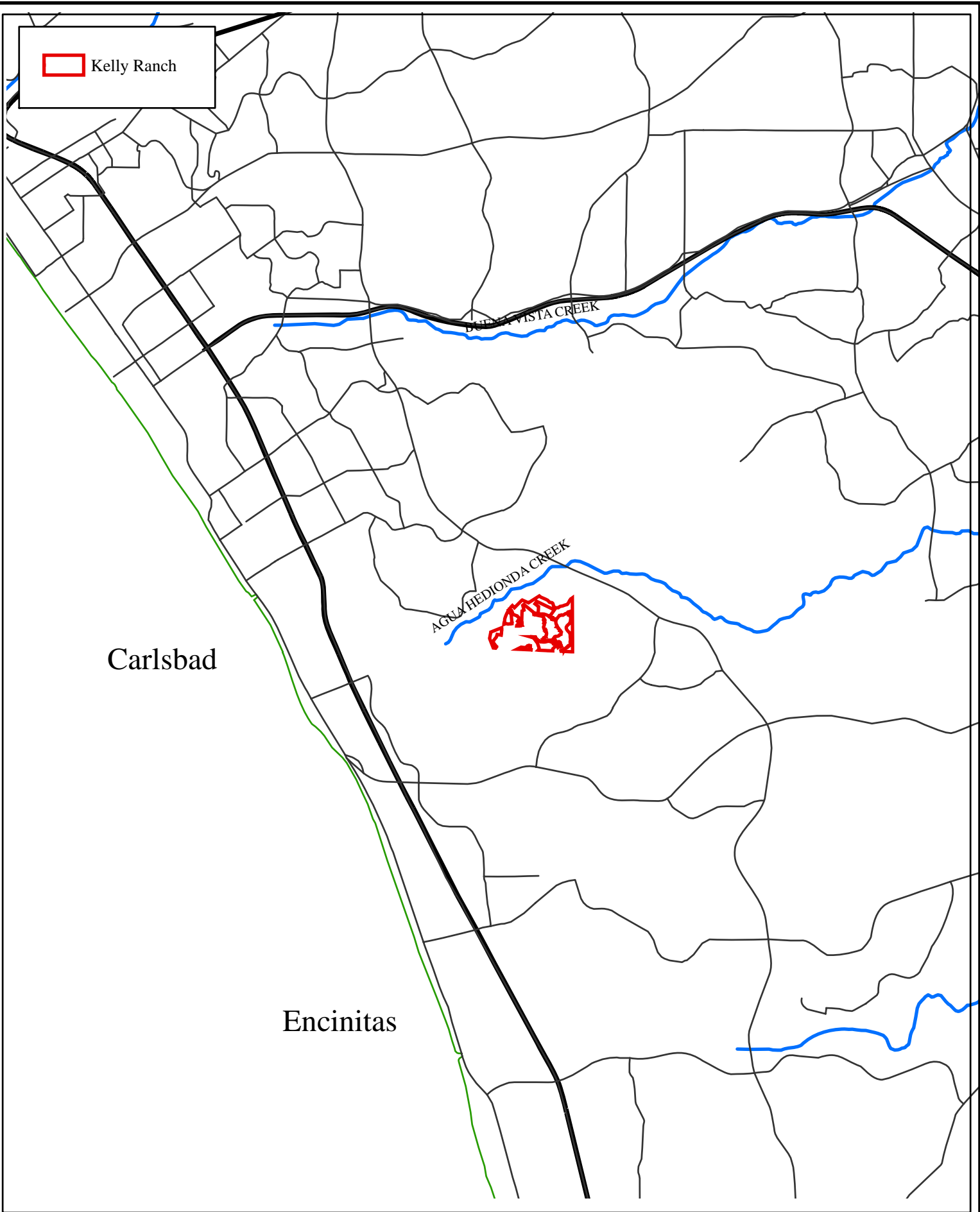


Figure 1
Preserve Vicinity
Kelly Ranch Habitat Conservation Area - Carlsbad, CA





Figure 2
Preserve Location
Kelly Ranch Habitat Conservation Area - Carlsbad, CA



- We installed information and protective materials in both upper and lower kiosk locations
- We conducted an annual CE Compliance visit and report
- We coordinated with Planning Systems, Inc. (the environmental consultant for the Kelly Ranch development) on the restoration efforts they are undertaking
- We finalized a Habitat Management Plan to guide management activities from 2008 through 2013

II. Capital Improvements

A small section of fencing and corresponding signage was installed along the upper kiosk area to dissuade further damage done by persons cutting a trail down the steep hillside west of the kiosk. Since installation, the damage had ceased.

III. Biological Surveys

CNLM performed the first set of biological surveys in 2003. USFWS protocol coastal California gnatcatcher surveys were performed at the HCA every year from 2003 through 2007. The *Habitat Management Plan* (CNLM 2008) outlines the goals of biological monitoring at the HCA. The general goal of the monitoring activities at Kelly Ranch over the next five years is mapping and censusing sensitive plants, assessing habitat condition among the sensitive plant communities, while incidentally noting locations and abundance of sensitive animals observed at the HCA. Since the site is relatively small, steep and fragmented, very little systematic research on animal composition, abundance, and movement can be done on the HCA.

Animal sightings are described below by the following categories: reptiles and amphibians, mammal, birds, and plants and vegetation communities. A discussion of the notations during the 2007-2008 management year, are described below under each appropriate category.

1. Reptiles and Amphibians Reptiles and amphibians were noted anecdotally during surveys for other taxa. No focused or United States Fish and Wildlife (USFWS) protocol level surveys were conducted. Species detected during the year include western fence lizards (*Sceloporus occidentalis*), side-blotched lizards (*Uta stansburiana*), and coastal whiptail (*Aspidoscelis tigris stejnegeri*).

2. Mammals No focused or USFWS protocol level mammal surveys were conducted during the year. As in the last two years' reports mammals observed during patrols included cottontail rabbit (*Sylvilagus audubonii*), California ground squirrel (*Spermophilus beecheyi*), and coyote (*Canis latrans*).

3. Birds Two raptors were observed and mapped where seen foraging on the HCA this year (Figures 3 and 4). These include the Northern Harrier (*Circus cyaneus*), a CDFG species of special concern, and the more common red tailed hawk (*Buteo jamaicensi*). Additionally, a greater roadrunner (*Geococcyx californianus*) was observed. No coastal California gnatcatcher surveys were conducted this management year. As stipulated in the *Habitat Management Plan* (CNLM

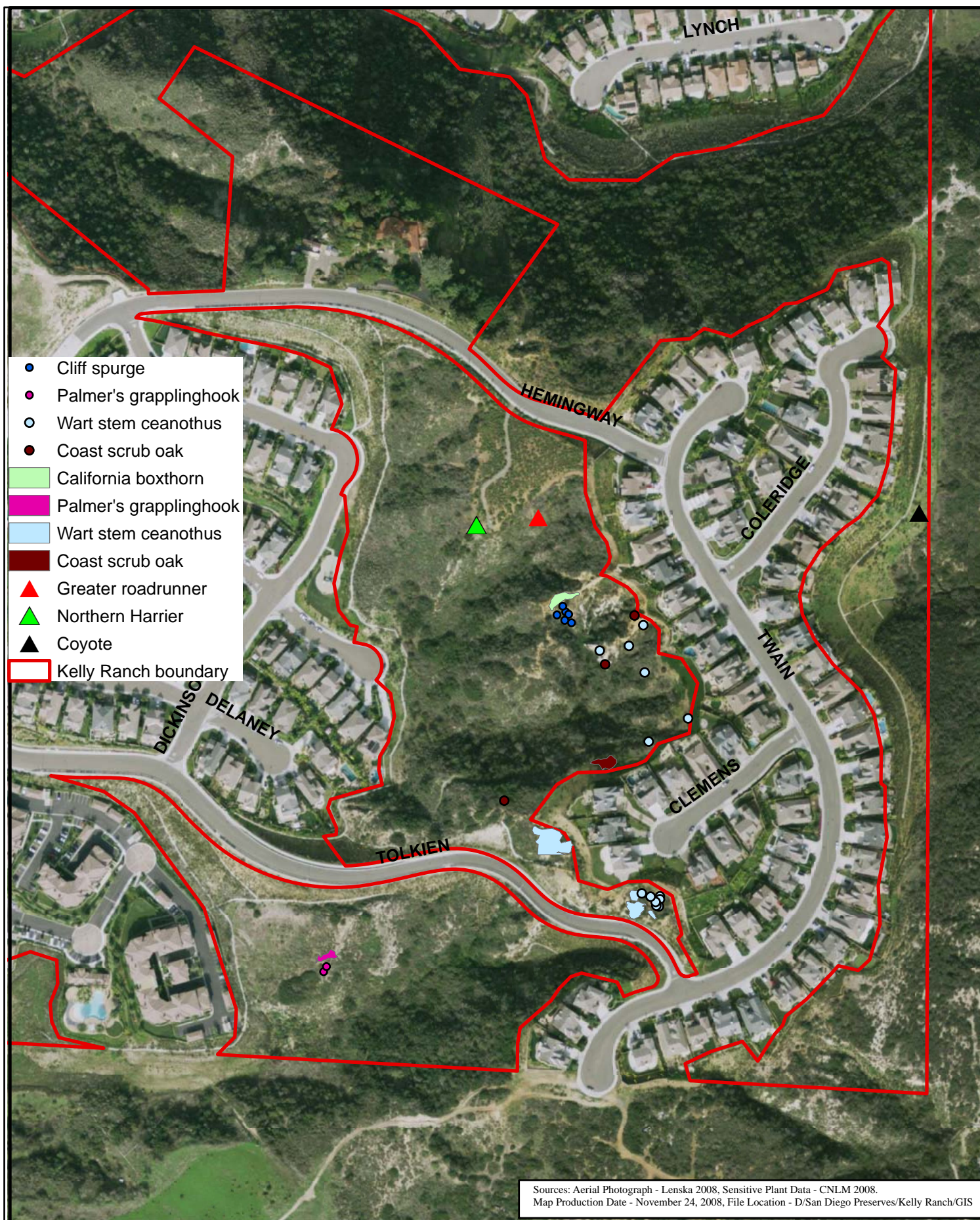


Figure 3. Rare plants, animal sightings
 Eastern Portion of Habitat Conservation Area 2008
 Kelly Ranch Habitat Conservation Area, Carlsbad California

200 100 0 200 Feet

Center for Natural Lands Management



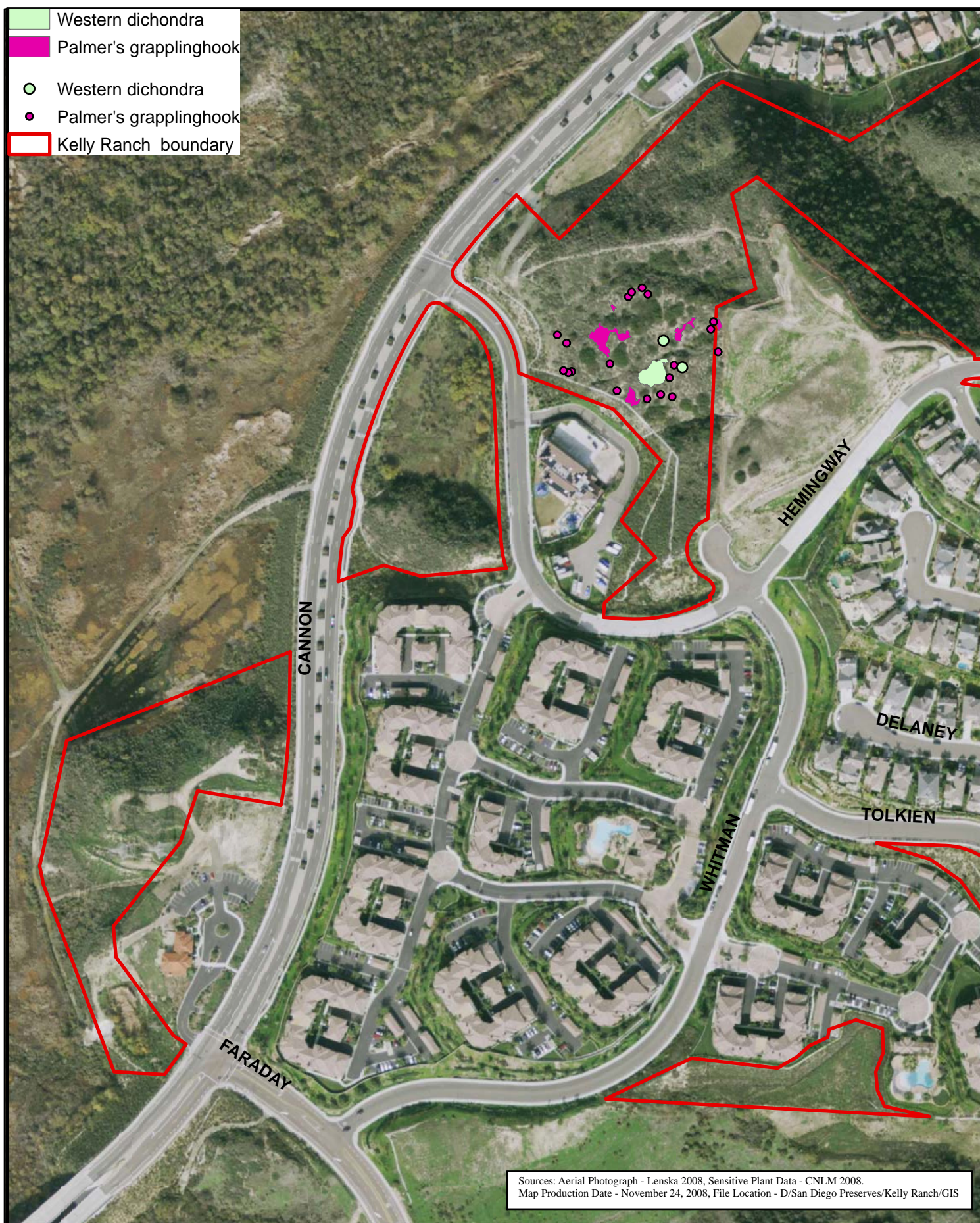


Figure 4. Rare Plants
 Western Portion of Habitat Conservation Area 2008
 Kelly Ranch Habitat Conservation Area, Carlsbad California

200 100 0 200 Feet

Center for Natural Lands Management



2008), comprehensive, USFWS protocol surveys will henceforth be done on a three-year recurrence basis. The next protocol level survey for this species is to occur in Spring 2010.

4. Plants and Vegetation Communities

Orcutt's Hazardia studies The Center owns the only known naturally occurring population of Orcutt's hazardia located within the Manchester Habitat Conservation Area. In the spring of 2003, the Center planted 25 Orcutt's hazardia at Kelly Ranch, just off Cannon Road. In the spring of 2004, the Center planted 100 additional Orcutt's hazardia within the same area. Habitat conditions (i.e., soils, aspect, vegetation community, proximity to the ocean) in the transplant location at the Kelly Ranch HCA are similar to the habitat found at the Manchester Habitat Conservation Area. By the summer of 2005, 97 Orcutt's hazardia had survived. Approximately 104 Orcutt's hazardia were counted in 2006, and 106 adult shrubs were counted in 2007. 2008 saw a decline in the count of adult hazardia, though this was probably an over-site on the part of the HCA Manager in conducting the count, since only 2 dead shrubs were noted this management year. This is the second year that seedlings were noted, and 3 were counted in 2007. One of these seedlings appeared to be at least a year old, and thus was probably overlooked during the previous year's survey effort. 21 seedlings were counted this management year, with 5 of these being dead.

Table 1. Orcutt's hazardia counts 2007-2008

	2007	2008
# adults	104	100
# seedlings alive	3	16
# seedlings dead	0	5
Total seedlings count	3	21

Other measures were carried out on seedlings, including cardinal direction from nearest shrub (presumed to be parent plant), distance from parent plant, height of each seedling. These data may eventually inform managers and regulators of suitability among sites and appropriate soil types, aspect, shading, and slope suitable for plant recruitment.

Shrubs mapped and censused Nuttall's scrub oak were mapped in a few locations were found, as were two populations of wart-stemmed ceanothus (Figure 3 and 4). Additionally, more cliff spurge were found and mapped than previously thought to exist on the HCA. The current total for cliff spurge is 17 individuals counted. Collections were taken during the winter of manzanita occurring in the central portion of the HCA. It would appear that the HCA holds one or more Del Mar Manzanita, though to be sure, fruit will need to be sampled. Medical restrictions kept HCA Manager from following up fruit sampling in the spring and summer of 2008.

More censusing and mapping remains to be done, particularly along the east side of the HCA, where many wart stemmed ceanothus remain to be mapped.

Non MHCP covered plants censused and mapped Several CNPS listed sensitive plant species (All List 4.2) were surveyed. Among these were Palmer's grapplinghook (Figure 4). Two populations were mapped, one of these being quite extensive. Grapplinghook were counted

where possible, and estimated where necessary, due to very large numbers and density. Western dichondra was mapped where found. Finally, we mapped a previously unknown occurrence of California box-thorn, occurring close to the cliff spurge population. No small-flowered microseris (*Microseris douglasii* var. *platycarpa*) were found this management year.

IV. Habitat Maintenance and Restoration

There are several weeds that pose a threat to the habitat function of the HCA (Table 2). During the past management year, approximately fifteen pampas grass and hundreds of Natal grass were sprayed with herbicide. The biggest habitat maintenance effort of the year was removal of Saharan mustard. The Center contracted RECON Environmental Inc. crews to aid in removal of this weed. The infestation was sizeable and dense, and required several days of effort on the part of the HCA Manager, and a half day on the part of five RECON personnel. The occurrence was largely inside sensitive habitat containing Palmer's grapplinghook and western dichondra.

Planning Systems is continuing its re-vegetation program that will end in approximately 2 years. This includes enhancing habitat west of Cannon Road, along some HCA edges, along manufactured slopes within the development, and restoring some former agricultural land within the HCA (Planning Systems, 2001). The Center has worked closely with Planning Systems to ensure that invasive weeds are controlled within the restoration and enhancement areas. Several phone calls and emails were sent to representatives of Planning Systems to ensure invasive species were dealt with in a timely manner. Planning Systems has taken it upon themselves to clear some patches of black mustard prior to going to seed inside established vegetation areas, and has responded to Center requests that Saharan mustard be dealt with promptly in a re-vegetation area nearby Hemingway Drive and the primary school.

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 meeting with neighboring home owners (or HOA members) 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.

Nature Hike The Center met with homeowners on a weekend in March 2008 to provide a nature hike, and increase understanding and sympathy for the HCA values. Much of the hike was with a focus on non-native plants and animals, and what impacts these have on the function of the HCA. Edible wild plants (Almost solely non-native) were pointed out, as were some habitat types that aren't easily visible from houses or roads. There were approximately ten persons in attendance at the nature hike.

Fuel modification zones There has been regular turn-over in HOA leadership, and HOA management since the Center took management of HCA in 2002. After over a year of non-response concerning ice plant planting within fuel management areas outside the HCA limits (See CNLM 2007), this year saw very faithful responses from HOA management and HOA Board-members. The CCR's prohibit the planting of many nonnative plants within and adjacent

Table 2. Threats to HCA integrity

Threat	Locations	Size or Severity	Actions 2007-2008 Management Year	Planned Actions
Pampas grass H (R)	HOA managed slopes (outside limits of the Conservation Easement), recruits continually from airborne seed	<ul style="list-style-type: none"> •Entire edge of HCA •All drainages 	<ul style="list-style-type: none"> •Cut inflorescences, sprayed •Continued work with HOA management, homeowner outreach, Planning systems 	Where necessary, inflorescence removal by HCA Manager during late summer 2009. Continue chemical treatment and pressure on HOA management, homeowners, and Planning Systems
Fennel H (G, CSS, R, F)	Sporadic	Largely contained, several remain, throughout all parcels	Removed inflorescences	Eradicate from section of HCA with early spring herbicide treatments
Saharan mustard H (CSS, F, G)	Lot 163, above Carlsbad Country Day School, Lot 79 behind 5212 and 5217 Clemmens Ct, Lot 78 behind 2186 Twain Ave.	Thousands, dense	Removed every mature plant prior to seed set with the exception of Lot 78	HCA Manager will work toward limiting spread through pulling or cutting prior to seed maturity, and will apply pressure on Planning Systems to remove
Hotentot fig (<i>Carpobrotus edulis</i>) H (CSS,R)	Lot 79 behind several homes on Twain Ave but outside limits of the Conservation Easement.	Largely eradicated, several small patches remain	Met with HOA management, HOA Board, and HOA maintenance	Track re-sprouts, continue pressure on HOA to remove re-sprouts and extra patches
Tree tobacco M (CSS, R)	Drainages, some edges, mostly in drainage at base of Lot 79	All disturbed areas, hundreds remain	Not much control took place this management year	HCA Manager will cut and stump spray where found, disallow seed production
Natal grass (CSS, G)	Sandy soils, css and chaparral habitat Lots 77 & 79	Sporadic, likely several hundred	Sprayed with Fusilade, hand pulled where necessary	HCA Manager will continue eradication efforts
Unwanted trespass	<ul style="list-style-type: none"> •Central portion of Lot 159 from kiosk down halfway to drainage •Children continue to build forts/pellet shooting range in restoration area Lot 79 	<ul style="list-style-type: none"> •Thin trail, mostly grown back by late spring •Not particularly damaging, but does keep restoration from filling in within play area 	<ul style="list-style-type: none"> •Fencing, signage placed nearby kiosk, point of entry •Removed two hay bales, removed several dead vegetation shelters/forts 	<ul style="list-style-type: none"> •Continued fencing maintenance, continue homeowner outreach •Continue regular patrol and removal efforts, continue homeowner outreach

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

- **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.

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

to the HCA. The Center Area Manager and HCA Manager met with HOA Board and HOA management (Prescott Management) at Prescott Management headquarters on November 29, and discussed the background of the issue, the need to remove the ice plant, and possibilities for replacement vegetation, among other items.

Since late 2007, the ice-plant has been killed and removed, and to date, correspondence has been ongoing concerning replacement planting. Currently, almost the entire area in question is bare ground and dead ice plant litter. Center Manager has met on three occasions with HOA contract landscape maintenance company Artistic Maintenance, Inc to discuss removing remaining ice-plant along the edges, and what to replace this with. Additionally, some HOA members are dissatisfied with the plant palette that was installed by Planning Systems in the fuel management revegetation zones. We have worked with the HOA board members during the management year to relate the requirement that only locally native plants be installed within the fuel zones (which are not part of the Conservation Easement). We have sent species lists that we approve of using, that may likewise be approved by Carlsbad Fire Department officials.

Safety concerns The native (restored) vegetation along the sidewalk west of the intersection of Cannon Road and Hemingway is deemed as a hazard to traffic visibility by some residents at Heron Bay/Spyglass Hills. The Center met with concerned homeowners and Artistic Maintenance management personnel to discuss the removal of sight blocking vegetation. An agreement was reached to prune back vegetation approximately 5 feet back from sidewalk to a particular height. Several large shrubs and trees (a few willows and mule fat) were approved for removal.

Kiosk materials Kiosk materials were placed in both the upper and lower kiosks. Large plexi-glass pieces were installed to protect materials from sun damage and vandalism. Kiosk materials included a location map, HCA area background, the mission of the Center in protecting the habitat, pamphlet spreads explaining the Carlsbad Preserve System, posters depicting the most serious non-native plant invaders, and dog leash and waste pick up rational.

VI. Reporting

Reporting includes all data analysis, GIS and remote sensing, regional coordination, photo documentation activities and budget and financial status.

A Habitat Management Plan for the HCA was created during this management year to cover the following five years (CNLM 2008).

A Conservation Easement (CE) compliance report for the HCA was drafted late in the management year (See Appendix). The CE compliance binder contains Kelly Ranch CE baseline documentation (including photo viewpoints) and CE monitoring procedures. If a CE violation occurs, the baseline documentation is the evidence necessary to prove that violation and win resolution. 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.

Data that have been entered into digital databases include survey (plant and animal) data. This report represents the seventh annual report for the HCA. An annual work plan for the 2008-2009 management year has been provided to the wildlife agencies and the City of Carlsbad in October of 2008.

Finally, the HCA manager has maintained all necessary agency permits to allow the continued monitoring of the HCA's biota.

Budget/Financials: The total expenditures for 2007-2008 were \$14,661 of a planned budget of \$14,550. The initial endowment provided to the Center in March of 2002 was \$296,125. The total endowment as of April, 2007 was \$421,922 and as of October 31, 2008 was \$294,607. The inflation adjusted endowment target is \$369,803. As of just a year ago, the endowment was keeping up with inflation. 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.

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 management year has been developed for this purpose.

VIII. References

- CNLM, 2007a. Kelly Ranch Habitat Conservation Area Annual Work Plan 2007-2008. Center for Natural Lands Management. October 19, 2007.
- CNLM 2007b. Kelly Ranch Habitat Conservation Area Annual Report 2006-2007. Center for Natural Lands Management. November, 2007.
- CNLM 2008. Habitat Management Plan for the Kelly Ranch Habitat Conservation Area. Center for Natural Lands Management. April 2008.
- Planning Systems. 2001. Revised Open Space Natural Habitat Restoration and Revegetation Program, Kelly Ranch "Core Area." Planning Systems # 980738.

IX. Appendix: CE Compliance Monitoring Documentation

CONSERVATION EASEMENT COMPLIANCE MONITORING REPORT

DATE OF SITE VISIT: July 29, 2008

OBSERVER: Patrick McConnell_____

Were Easement Documents read before site visit? Yes

PROPERTY TITLE: Kelly Ranch Habitat Conservation Area

CNLM CODE#: S024

Specify which area surveyed (if not entire Preserve):

COMPLIANCE

<u>Requirements and Compliance Checklist</u>	<u>Compliance (Yes/No/NA)</u>
<u>Specific Findings (for each Lot):</u> <u>208-186-01-00</u> <u>208-186-04-00</u> <u>208-185-06-00</u> <u>208-185-08-00</u> <u>208-185-01-00</u> <u>208-185-03-00</u> <u>208-185-04-00</u> <u>208-185-02-00</u> <u>208-184-01-00</u> <u>208-184-03-00</u> <u>208-184-07-00</u> <u>208-186-02-00</u>	 Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes
<ul style="list-style-type: none"> The Property is protected from general access, and active use by Owners or others? 	Yes
<ul style="list-style-type: none"> Has access negatively impacted the Conservation Values? 	No
<ul style="list-style-type: none"> The Property is free of debris, fill materials, lawn clippings, oil, or trash of any kind. 	No
<ul style="list-style-type: none"> 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 ₂
• 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 ₃
• Any disturbance or biological problems noticed (if yes, see notes)?	Yes ₄
• Any prohibited plants on the property (if yes, see notes)?	Yes ₅
• Survey for wildlife species and recorded observed species (see notes)?	Yes ₆

GRAZING USED AS A MANAGEMENT TOOL? No

CONDITION OF HABITAT AND % VEGETATIVE COVER: Habitat in good condition throughout Preserve. Scrub vegetation on upper-northern side of Lot 78 indicates an unhealthy lack of disturbance (fire) suitable to generate a diversity of vegetation types. Rather, this stand is dominated by lemonade berry (*Rhus integrifolia*) and poison oak (*Toxicodendron diversifolium*). The slopes along the eastern side of Preserve, in Lot 78 are almost wholly fill material, and the revegetation effort is not performing as well as restoration crews wish (phone conv. with Greg Evans of Planning Systems, Inc). Other than these two areas, the chaparral and sage scrub communities on the Preserve are in a vibrant, healthy, undisturbed condition. Vegetative cover varies widely, and in many areas, direct measurement of cover is not recommended due to steep terrain, and unstable soils. Distant estimation of vegetative cover by dominants, using CNPS Relieve' protocol, is planned for the 2010-2011 fiscal year.

PICTURES TAKEN (Minimum once annually) Yes.

Identify photos: D:\CNLM San Diego\San Diego Preserves\Kelly Ranch\Conservation Easement Documentation\CE Compliance by year\2007-2008\Photos

19 photos taken July 29, 2008 in same photo-point locations as described in baseline document.

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

- 1 Preserve Manager has been working closely with HOA management (Prescott Companies, Melissa Brown) concerning lawn refuse disposal, dumping issues behind homes. All issues except two have been adequately dealt with to date:
 - a. Iceplant dumping in Lot 79 has not been addressed, as agreed during HOA board meeting November 29, 2007.
 - b. Homeowners at 2141 Twain Ave., continue to dump household waste (beer bottles, cans, soda cans, kitchen waste, etc.) onto hillside behind their home. One letter from HOA to Owner sent in late 2007, another letter due to owner soon, from HOA, as mentioned in email communication August 20, 2008.
- 2 Children occasionally alter dead vegetation for use as a shooting screen for plastic pellets nearby the upper kiosk in Lot 79, on the southern edge of the re-vegetation area. Digging has been noticed in one small area, and hay bales had also been brought in. Regular patrols continue to keep this use from growing, but more fencing is needed in this area, wrapping around the trail to kiosk.

- 3 Trail was blazed from directly in front (west) of upper kiosk, Lot 79, down to near bottom of hill in winter 2007. Fencing was immediately constructed, and damage has henceforth been halted.
- 4 See 2 and 3
- 5 Pampas grass (*Cortaderia* spp.) have regularly sprouted along Preserve edges, mostly in irrigated restoration areas. Restoration biologists responsible for removal do a partial job at control, while Preserve Manager continues to regularly kill clumps and seedlings as they appear. Natal grass (*Melinis repens*) is a continuing threat to Preserve biodiversity, but has been regularly dealt with, and appears to be declining. Tree tobacco (*Nicotiana glauca*) has also been regularly treated for eradication, though there remain a couple of populations at the bottom of canyons.
- 6 Anecdotal observations of species by Preserve Manager continues. Coopers Hawks (*Accipiter cooperi*), and coyote (*Canis latrans*) have been observed and mapped on the Preserve during this fiscal year.

Follow up needed? Preserve Manager will clean up refuse behind 2141 Twain Avenue, and track continued refuse dumping behind 2141 Twain Ave. Preserve Manager is currently checking with HOA manager to see that all remaining iceplant clippings are removed from Preserve by their contracted maintenance company. Timely control and eradication of weeds will continue to occur. Planning Systems is responsible for re-vegetation areas, and is aware that Eastern side of Lot 78 is underperforming. Planning Systems is hoping that seed-set from existing vegetation will suitably fill open spaces during winter-spring 2009.

Assigned to: Patrick McConnell Date: 9/10/08
 Initial Action taken: _____ Date: _____
 Final Action taken: _____ Date: _____

Monitor Sign.: _____
 P. M. Sign.: [Signature] 09/10/08
 A. M. Sign.: [Signature] 9/10/08