

**Wilmont Ranch and Morro Hills/Foss Lake
Habitat Conservation Area**

Annual Report
(CNLM No: S017 & S021)

October 1, 2009 – September 30, 2010

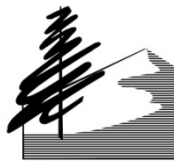
Prepared for:

U.S. Fish and Wildlife Service
Attn: David Zoutendyk
6010 Hidden Valley Road
Carlsbad, CA 92009
No's: Wilmont Ranch 3792 and
Morro Hills/FossLake 2008B0310

California Department of Fish and Game
Attn: David Mayer
4949 Viewridge Avenue
San Diego, CA 92123

City of Oceanside
Attn: Jerry Hittleman
300 North Coast Highway
Oceanside, CA 92054

Prepared by: Jessica Vinje, San Diego Preserve Manager
Reviewed by: Markus Spiegelberg, San Diego Area Manager



Center for Natural Lands Management
215 West Ash Street
Fallbrook, CA 92028
(760) 731-7790
www.cnlm.org

December 2010

Table of Contents

I. INTRODUCTION	1
II. CAPITAL IMPROVEMENTS	4
III. BIOLOGICAL SURVEYS	4
1. Least Bell's Vireo and Brown-headed Cowbird Trapping	4
2. Other Wildlife Species	5
3. Plant Species and Vegetation Communities	6
IV. HABITAT MAINTENANCE AND RESTORATION	10
1. Wilmont Ranch HCA	10
2. Morro Hills HCA	10
3. HCA Threats	10
V. PUBLIC SERVICE	13
VI. REPORTING	13
VII. SUMMARY & DISCUSSION	14
VIII. REFERENCES	14
VIII. APPENDICES	15

Table of Figures

Figure 1 - Habitat Conservation Area Overview	2
Figure 2 – Wilmont Ranch and Morro Hills Habitat Conservation Area Locations	3
Figure 3 – Sensitive Wildlife Locations – Wilmont Ranch and Morro Hills (Easements 2a and 2b) - 2010	7
Figure 4 – Sensitive Wildlife Locations – Morro Hills (Easement 4) – 2010	8
Figure 5 - Sensitive Wildlife Locations - Morro Hills (Foss Lake and Easement 1) - 21010	9

Table of Tables

Table 1 - Least Bell's Vireo Survey Information	5
Table 2 - Habitat Conservation Area Threats	11
Table 3 - Endowment Status	14

Table of Appendices

Appendix A – Gabion Basket Photographs – CE 3	16
Appendix B - CE Compliance Reporting	20
Appendix C- Notice of Violation Letter	26

I. INTRODUCTION

This report summarizes the management activities carried out on the Wilmont Ranch and Morro Hills/Foss Lake Habitat Conservation Areas (HCA) by the Center for Natural Lands Management (CNLM) during the fiscal year of October 1, 2009 to September 30, 2010. The tasks and objectives discussed below are those derived from the *Wilmont Ranch and Morro Hills Habitat Conservation Area 2008-2012 Management Plan* (Plan) (CNLM 2008a), as well as the Wilmont Ranch and Morro Hills Annual Work Plan 2009-2010 (CNLM 2009).

The Wilmont Ranch HCA is located approximately 1/4 mile north of the intersection of Douglas Drive and Vandegrift Boulevard near the entrance to Marine Corps Air Base Camp Pendleton (MCABCP) in Oceanside, California (Figures 1 and 2). The HCA is approximately 28 acres and supports the state and federally listed as endangered least Bell's vireo (*Vireo belli pusillus*) (LBV) and federally listed as threatened coastal California gnatcatcher (*Polioptila californica californica*) (CAGN). CNLM received title to the Wilmont HCA in February of 2001 at which time CNLM preserve management commenced.

The Morro Hills HCA is located along the southern side of Douglas Drive and east and west of Vandegrift Boulevard, near the intersection of Douglas Drive and Vandegrift Boulevard and just south of the entrance to MCABCP in Oceanside, California (Figures 1 and 2). About 75 acres (Foss Lake) of the total of 145-acre HCA were transferred to CNLM in March of 2002, with the remaining acreage transferred in late 2006. The Morro Hills HCA consists of Conservation Easements (CE) 1, 2a, 2b, 3 and 4. CE 1 is located at the southwestern intersection of Douglas Drive and Vandegrift Boulevard; CEs 2a and 2b are located adjacent to the Wilmont HCA; and CEs 3 and 4 are located within the boundaries of the Arrowood Golf Course (Figure 2). The HCA supports LBV and CAGN.

Management includes the maintenance of existing fences, 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.

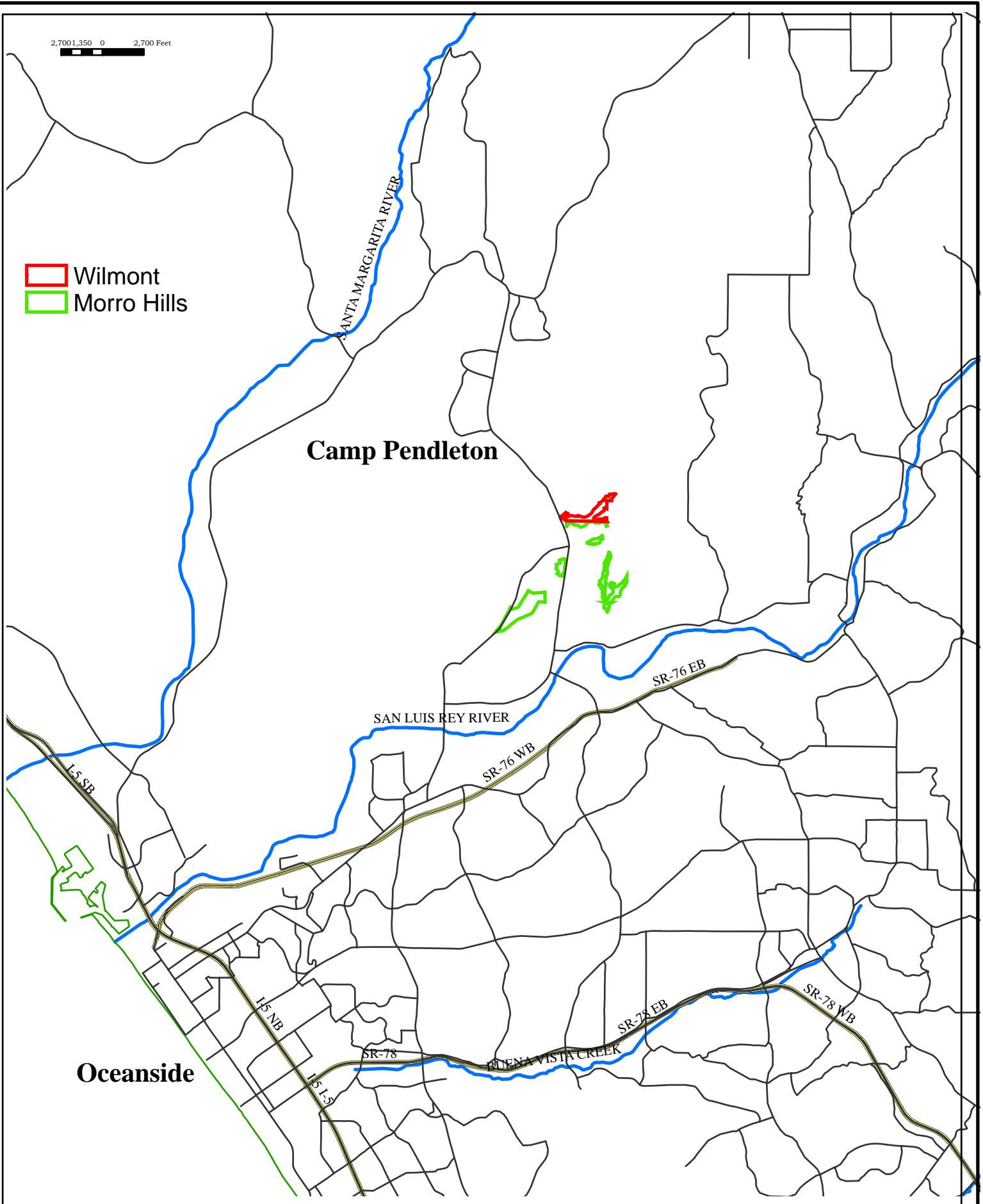


Figure 1
Preserve Vicinity
Wilmont and Morro Hills Habitat Conservation Areas - Oceanside, CA

Center for Natural Lands Management



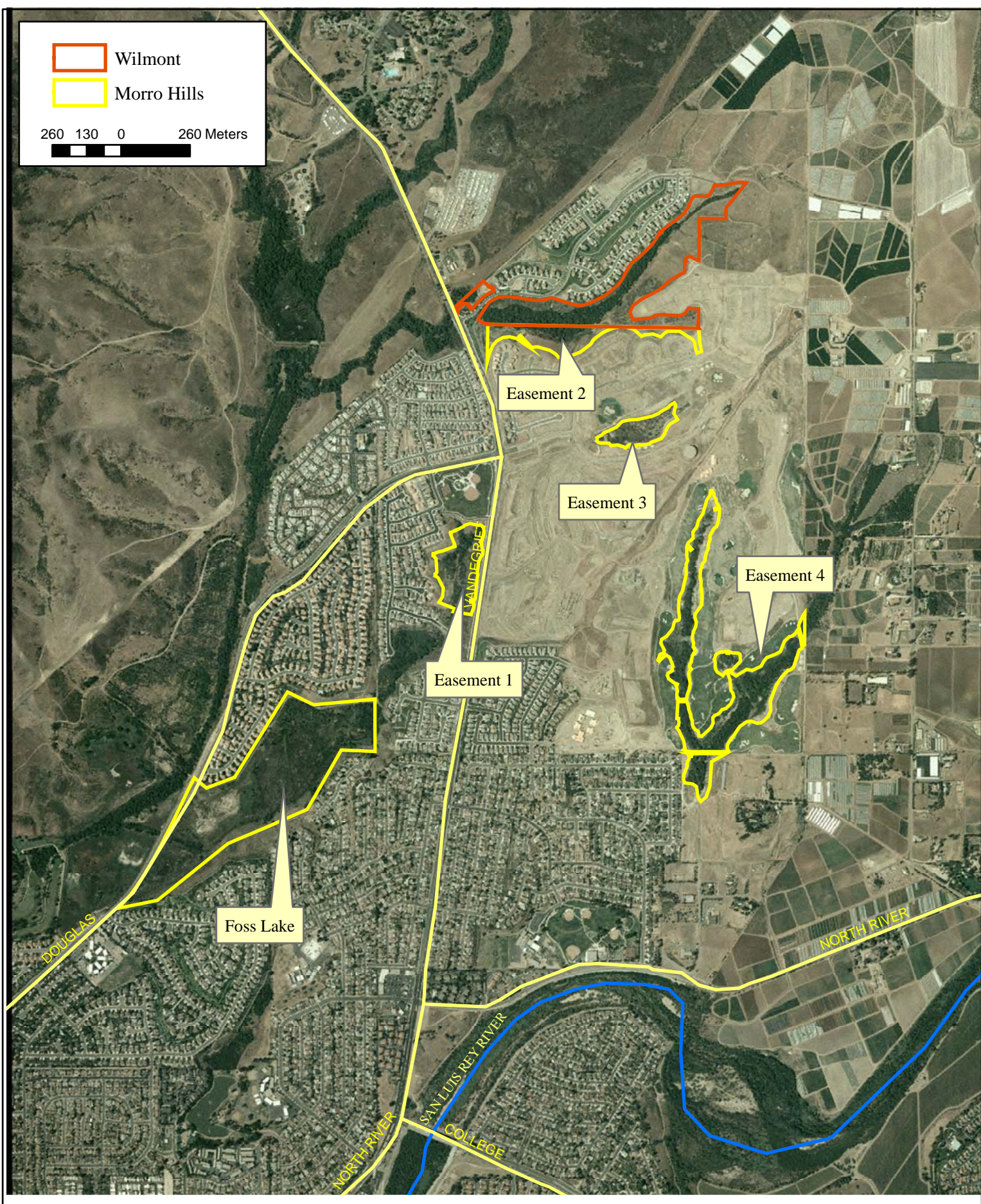


Figure 2
Preserve Location
Wilmont and Morro Hills Habitat Conservation Area - Oceanside, CA



CNLM ACTIVITY SUMMARY

- Giant reed (*Arundo donax*), tamarisk (*Tamarix* spp.), pampas grass (*Cortaderia selloana*), castor bean (*Ricinus communis*), tree tobacco (*Nicotiana glauca*), and Mexican fan palm trees (*Washingtonia robusta*), were cut with a chainsaw and/or treated with herbicide.
- Wildlife movement and activity was monitored in the Wilmont Ranch HCA.
- LBV presence/absence surveys were conducted.
- Coordination with Toll Brothers, the new project developer occurred for repairs that were undertaken on CE 3.
- CE Compliance Monitoring and Reporting were conducted.
- A Notice of Violation (NOV) was issued to the Arrowood Golf Course regarding impacts to CE 4.
- Fuel breaks were cleared at Foss Lake.
- Many signs were replaced or updated with new information.
- Regular patrol, site enforcement and trash pickup were conducted.

II. CAPITAL IMPROVEMENTS

No capital improvements were undertaken this past year.

III. BIOLOGICAL SURVEYS

Biological surveys commenced in 2001 at Wilmont Ranch and Morro Hills CEs 2a and 2b, in 2002 at CE 1 and Foss Lake, and in 2005 at CEs 3 and 4. The *Management Plan* (CNLM 2008a) outlines the primary goals of biological monitoring. The primary goals at this time are to collect LBV nesting data, monitor for any sign of brown-headed cowbird (*Molothrus ater*) parasitism, monitor for the presence of potential LBV predators, and monitor the changes in habitat structure. Gathering this information will allow CNLM to detect factors correlated with LBV population fluctuations that could assist in managing the HCA.

1. Least Bell's Vireo and Brown-headed Cowbird Trapping

LBV presence/absence surveys were conducted in the spring (Table 1). Wilmont Ranch and CEs 2a, 2b, 3 and 4 were surveyed by Jessie Vinje and Foss Lake and CE 1 were surveyed by Markus Spiegelberg.

Thirty-two LBV territories were identified (Figures 3-5), consisting of 15 pairs and 17 single males. Some of the single males may have been paired, as some areas, such as Foss Lake, were only visited once. Multiple visits may have determined that these males were actually paired. Of the 15 pair, 5 pair were located at the Wilmont Ranch HCA, 6 pair were located on CE 4, 3 pair were located on Foss Lake, and 1 pair was located on CE 2a/2b. Of the 17 single males observed, 2 were observed at Wilmont Ranch, 9 were observed on CE 4, 3 were observed on Foss Lake, 2 on CE 1, and 1 was observed on CE 2a/2b.

The LBV territories recorded this year is the highest recorded number since CNLM began management and monitoring activities. The second highest count was in 2005. In 2005, 24 territories were recorded, but Foss Lake was not included in this survey effort, so the LBV count was likely higher.

Table 1 - Least Bell's Vireo Survey Information

Date (2010)	Time	Weather Conditions	Location
April 27	09:30-11:30	Partly cloudy, 60-70°F	Foss Lake and Easement 1
April 30	6:00-10:30	Sunny, 0 mph wind, 51-68°F	Wilmont Ranch, Easements 2a, 2b, 3 and 4
May 6	6:00-11:30	Cloudy and then clear and sunny, 0 mph wind, 62-76°F	Wilmont Ranch, Easements 2a, 2b, 3 and 4

Cowbird trapping was conducted per the conditions of the Morro Hills Biological Opinion for six years, ending in 2008. In 2007 and 2008, CNLM also trapped the Wilmont Ranch area. In 2009, Richland Communities (the original developer of Morro Hills) did not trap for cowbirds as a result of financial problems within the organization. Therefore, CNLM was also not able to conduct the trapping at Wilmont, as we were depending on getting the economies of scale if both parties trapping concurrently. In 2010, brown-headed cowbird trapping did not occur because Richland Communities went bankrupt and a new developer, Toll Brothers, Inc., was considering buying the property that was once owned by Richland Communities. CNLM is planning on trapping for brown-headed cowbirds in 2011 using its own funds.

2. Other Wildlife Species

Other sensitive avian species noted during LBV surveys include yellow-breasted chat (*Icteria virens*) and a nesting Cooper's hawk (*Accipiter cooperii*) (Figures 3-5). Other wildlife species observed include coyote (*Canis latrans*), cottontail rabbit (*Sylvilagus bachmani*), western fence lizards (*Sceloporus occidentalis*), side-blotched lizards (*Uta stansburiana*), and many avian riparian species. Additionally, a family of bobcats (*Felis rufus*), was observed many times by Arrowood Golf Course staff. They believed that the family lived in the riparian habitat located in the western fork of CE 4.

One wildlife camera was placed in the Wilmont Ranch HCA during the spring of 2006, 2007, 2008, and 2009 to determine which large mammal species utilize the HCA. The camera was attached to a tree in the southern willow scrub located in the southwestern portion of the HCA in an area where animal sign was observed. No cameras were placed in the Morro Hills HCA due to camera vandalism that occurred during the 2006 season. The camera at Wilmont Ranch was placed in this specific location because photographs from previous years in the same location revealed that animals were using a wildlife trail in that location to traverse the HCA. CNLM wanted to ascertain if the animals were still utilizing this trail and if any new animal species could be photographed.

Many wildlife photographs were captured in 2006, 2007 and 2008, but in 2009, no wildlife photographs were captured on the camera (during the 2008-9 fiscal year). CNLM staff placed

the camera in the same location twice during this fiscal year. The first session lasted for 49 days (11/19/2009 – 1/7/2010) and the second session lasted 61 days (5/4/2010 – 7/4/2020). During the first session, three photographs of a coyote and one photograph of a bobcat were captured. No wildlife photographs were captured during the second session. During the first session, the camera captured before and after site photographs that were taken during a storm. The habitat in front of the camera was completely washed away and large branches and trees fell into the site blocking the wildlife trail. It may be that the area in front of the camera is no longer passable for wildlife as a result of the site changes from the storm and thus, no wildlife photographs were captured after the storm event.

CNLM is planning on finding a new location for the wildlife camera this upcoming year based on game trail and scat observations in the HCA.

3. Plant Species and Vegetation Communities

3a. Sensitive Plant Species

No sensitive plant surveys were planned for the last fiscal year.

3b. Vegetation Communities

No vegetation community monitoring or mapping occurred this past year because both of these tasks were completed last year.



Figure 3
Sensitive Wildlife Locations - Wilmont Ranch and Morro Hills (Easements 2a and 2b) - 2010
Oceanside, California

Center for Natural Lands Management



Figure 4
Sensitive Wildlife Locations - Morro Hills (Easement 4) - 2010
Oceanside, California



Figure 5
 Sensitive Wildlife Locations - Morro Hills (Foss Lake and Easement 1) - 2010
Oceanside, California

IV. HABITAT MAINTENANCE AND RESTORATION

Habitat maintenance and restoration goals include controlling and removing non-native and invasive plants. During this past year giant reed, tamarisk, pampas grass, castor bean, tree tobacco, and Mexican fan palm trees were cut with a chainsaw and/or sprayed with herbicide.

1. Wilmont Ranch HCA

Ten clumps of giant reed were sprayed with herbicide. In addition, several large tree tobacco were cut with a chainsaw and sprayed with herbicide, and hundreds of tamarisk resprouts were cut and sprayed with herbicide. Lastly, three small Mexican fan palm trees were sprayed with herbicide. Giant reed, pampas grass, fennel (*Foeniculum vulgare*), and additional non-native species remain and will be treated to the extent possible this upcoming fiscal year.

2. Morro Hills HCA

Two large sized clumps of giant reed were sprayed with herbicide in CE 2b and one large Mexican fan palm tree was drilled with a chainsaw and filled with herbicide on CE 4. Many castor bean seedlings were hand pulled and several large individuals were cut and sprayed with herbicide in CE 4. Additionally, several hundred tamarisk trees, 14 Mexican fan palm trees and approximately 50 shamal ash (*Fraxinus uhdei*) trees were treated in Foss Lake as part of the Santa Margarita and San Luis Rey Watersheds Weed Management Area Program.

Vegetation was cleared to reduce the fuel load from along Douglas Road and from behind the homes located on the north side of Foss Lake.

Lastly, several of the gabion baskets (check dams) located on CE 3 broke in late 2009 and was fixed by the bank that was handling the bankruptcy case for the original developer, Richland Communities (See Photographs in Appendix A).

3. HCA Threats

Over the years, CNLM has closely monitored and noted existing and potential threats that could negatively impact the HCA. We list and describe these threats, and then outline current and future management actions to minimize these threats (Table 3). The primary threat is generally invasive non-native plants.

Table 2 - Habitat Conservation Area Threats

Threat	Location	Size or Severity	Actions 2009-2010 Management Year	Planned Actions
Weeds				
Fennel (<i>Foeniculum vulgare</i>) H	Southern slopes of Foss Lake; non-native grassland in Wilmont Ranch HCA.	Moderate infestation in both locations.	Only a few treated with herbicide.	Treat to the extent possible during next fiscal year.
Non-native Forbs: Black Mustard (<i>Brassica nigra</i>) M; Tocalote (<i>Centaurea melitensis</i>) M; Mustard (<i>Hirschfeldia incana</i>) L; wild radish (<i>Raphanus sativus</i>) L; Milk Thistle (<i>Silybum marianum</i>) L, Italian thistle (<i>Carduus pycnocephalus</i>) M, and other non-native forbs to a lesser degree	Located in both HCAs in coastal sage scrub and non-native grassland.	Moderate to low in most places, but severe in several locations in CE 1, 2a and 2b, and 3. Approximately 1-acre infested with both Italian thistle and milk thistle species in the Wilmont HCA.	None.	Italian thistle and milk thistle individuals will be treated in the future when funds are available. Other forb species are not considered a major threat at this time.
Hotentot fig (<i>Carpobrotus edulis</i>) H	Patch along southern boundary of Foss Lake.	Patch is about ¼ acre in size.	None.	Will be eradicated over the next few years.
Tree tobacco (<i>Nicotiana glauca</i>) M	Located in the non-native grassland in the Wilmont Ranch HCA.	Approximately 50 plants.	New individuals cut and sprayed with herbicide.	Will treat resprouts as they are located.
Brazilian Peppertree (<i>Schinus terebinthifolius</i>) L	Located in Foss Lake and at the end of Roja Street.	Infestation is low.	None.	Will continue to cut and remove; spray with herbicide and cut and stump spray.
Giant reed (<i>Arundo donax</i>) H	Located in the riparian habitats in both HCAs.	Infestation is low.	Sprayed with herbicide.	Will continue to cut and stump spray; spray with herbicide; and hand pull.
Palm Trees: Mexican Fan Palm (<i>Washingtonia robusta</i>), M; Canary Island Date Palm (<i>Phoenix canariensis</i>) L	Located in the riparian habitats in both HCAs.	Infestation is low.	Sprayed with herbicide and cut with a chainsaw and filled with herbicide.	Will continue to drill and fill with herbicide; spray with herbicide; and hand pull.
Shamal Ash (<i>Fraxinus uhdei</i>) Evaluated, but not listed	Riparian area at Foss Lake and at the end of Roja Street.	50-100 individuals.	Sprayed with herbicide and drilled and filled with herbicide.	Will continue to cut and remove, cut and stump spray, and hand pull.
Non-native Annual Grasses: Rip-gut Brome (<i>Bromus diandrus</i>) M, Red Brome (<i>Bromus madritensis</i> ssp. <i>rubens</i>) H, Soft-chess Brome (<i>Bromus hordeaceus</i>) L, wild oats (<i>Avena fatua</i> and <i>A. barbata</i>) M, and other non-native grasses to a lesser degree	Located in both HCAs in coastal sage scrub and non-native grassland.	Severe for non-native grasses in several locations throughout both HCAs.	None.	None.

Threat	Location	Size or Severity	Actions 2009-2010 Management Year	Planned Actions
Castor Bean (<i>Ricinus communis</i>) L	Riparian and upland areas in both HCAs.	Infestation is low.	Cut and stump sprayed; sprayed with herbicide; and hand pulled.	Will continue to cut and stump spray; spray with herbicide; and hand pull.
Pampas grass (<i>Cortaderia</i> spp.) H	Located in the riparian habitats in both HCAs.	Infestation is low.	None.	Will continue to treat with herbicide.
Saltcedar (<i>Tamarix</i> spp.) H	Located in the riparian habitats in both HCAs.	Infestation is low.	Cut and sprayed.	Will continue to cut and stump spray; spray with herbicide; and hand pull.
Other				
Unwanted Trespass and Vandalism	Both HCAs.	Minimal.	Replaced old signs with new "No Trespassing" signs.	Continue to repair existing fencing and install new fences in strategic locations.
Trash and Debris	Throughout.	Minimal.	None.	Remove as observed.
Excessive Runoff	Wilmont Ranch HCA.	Moderate; runoff from adjacent homes, landscaping and roads drains into the HCAs. Unnatural condition.	None.	None planned, as the development designs planned for runoff to go into the HCAs.
Erosion	CE 3 and CE 4.	High rain events caused several rock check dams in CE 3 to break causing soil loss and erosion. Dams were created using sand and gravel bags underneath the golf cart bridges in CE 4 as large amounts of erosion were noted under these bridges after heavy rain events (the bridges are not within the CE, but the erosion was affecting the CE managed portions of the HCA).	Gabion baskets in CE 3 were repaired in late 2009 by the bank.	None planned.

V. PUBLIC SERVICE

Public service activities include regular patrols in an attempt to control dumping and associated vandalism. In addition, public services include trash pickup and meeting with neighboring homeowners who have questions or concerns in regards to the HCA.

Patrols were conducted during almost all site visits. During each site visit, the HCA was surveyed for illegal activities, trash was picked up, and non-native, invasive plants were killed. A mattress that had been discarded into the Wilmont Ranch HCA was taken to the dump. Many signs were also replaced on the western edge of the Foss Lake portion of the HCA where the HCA abuts Douglas Avenue. Some signs were also replaced at Wilmont Ranch. These signs were outdated and some had been vandalized. Stickers were also placed on the new signs and on some of the older signs indicating the name of the HCA.

Overall, vandalism and trash dumping do not occur on a regular basis. The HCA is protected in most places by fences and signage has been placed along the boundaries of the HCA indicating that the HCA is not open to the public.

VI. REPORTING

Reporting includes all data analysis, Geographic Information System entry and analysis and remote sensing, regional coordination, photo documentation activities and budget and financial status. This report represents the ninth annual report for the HCA.

a) Year-End/Agency Reports

This annual report will be submitted to the City of Oceanside, the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS).

b) Annual Work Plan

A draft annual work plan for the next fiscal year has been developed and submitted to CDFG, USFWS and the City of Oceanside in October of 2010.

c) Management Plan

The HCA management plan was updated in 2008 and will cover all management activities for the next five years (CNLM 2008a). This management plan was submitted to the wildlife agencies and City of Oceanside.

d) Conservation Easement Compliance

The Center holds easements over CEs 1 – 4 on Morro Hills. These are full management CEs. CNLM has created a CE compliance binder, which documents baseline conditions of the easement area and follows up with annual easement compliance visits to ensure that the underlying owner of the property does not violate the conditions of the CE. Documentation is included as Appendix B for the second annual CE compliance visit that was conducted in the 2010. One CE violation was noted this past year and the Notice of Violation Letter is included as Appendix C. The Arrowood Golf Course staff cleared approximately ½ acre of riparian and coastal sage scrub vegetation from within CE 4

adjacent to the Golf Course and a map of the areas that were cleared is included at the end of Appendix B. The entire area has been revegetated by the Arrowood Golf Course and will be maintained for one year to ensure that the installed container plants survive.

e) Budgets/Finances

The total budget spent at Wilmont and Morro Hills during the 2009-2010 fiscal year was \$8,010.99 and \$12,463.99 from planned budgets of \$8,686.03 and \$12,844.56, respectively. Total preserve management funds as of September 30, 2010 are \$285,438 and \$415,323 for Wilmont and Morro Hills, respectively (Table 3).

Table 3 - Endowment Status

Project	Inception Date	Original Endowment	Endowment as of 9/30/10	Total Preserve Funds	Inflation Adjusted Endowment as of 9/30/10
Wilmont	3/2001	\$267,880	\$257,808	\$285,438	\$345,232
Morro Hills	2/2002	\$341,660	\$415,323	\$415,323	\$418,598

VII. SUMMARY & DISCUSSION

Management at the Wilmont Ranch and Morro Hills HCA's this year was successful at protecting the HCAs from human encroachment, building baseline biological data, removing non-natives and developing a better understanding of the HCA and its regional context. Management in the next year will involve more biological surveys and non-native plant removal.

VIII. REFERENCES

CNLM 2008a. Wilmont and Morro Hills Habitat Conservation Areas 2008-2012 Management Plan. Center for Natural Lands Management. March 2008.

CNLM 2009. Wilmont and Morro Hills Habitat Conservation Area Annual Work Plan 2009-2010. Center for Natural Lands Management. October 2009.

VIII. APPENDICES

Appendix A – Gabion Basket Photographs – CE 3



Photograph 1: Erosion control devices and gabion baskets, looking south.



Photograph 2: Erosion control devices and gabion baskets, looking north.



Photograph 3: Gabion baskets and water outlet.



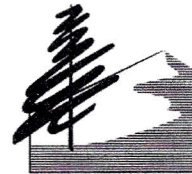
Photograph 4: Gabion baskets, up close.



Photograph 5: Gabion baskets and area where water lands during flow events.

Appendix B - CE Compliance Reporting

Center for Natural Lands Management



EASEMENT COMPLIANCE MONITORING REPORT

Date of Site Visit: May 6, 2010

Observer (e.g., Name of preserve manager): Jessie Vinje (Initials: JV)

If this is the only (annual) visit, were Easement Documents read before site visit? X YES NO

*Easement documents were read even though the property is visited more than one time a year.

Preserve Name: Morro Hills Easements 1, 2a, 2b, 3 and 4 CODE#: S021

Specify which area surveyed (if not entire Preserve): Entire area surveyed either by foot or with binoculars.

COMPLIANCE

<u>Requirements and Compliance Checklist</u>	<u>Compliance</u> <u>(Yes/No/NA)</u>
<u>Specific Findings (for each Lot):</u>	
1. Does the Preserve appear to be adequately protected from general access and active use by owners or others?	No ¹
2. If 'No' to #1, does it appear that the Conservation Values are, nevertheless, still protected (or not impacted)?	Yes
3. Does the Preserve appear to be free of debris, fill materials, lawn clippings, oil, or trash of any kind?	No ²
4. Does the Preserve fencing appear to be intact and in good condition?	Yes ¹
5. Does the Preserve appear to be free of any prohibited activities including grading or alteration, domestic landscaping, irrigation, or storage?	No ³
6. Does the Preserve appear to be free of any prohibited improvements, including accessory structures, roads, utility lines, benches, equipment storage, swimming pools, dams or ponds, excavation, or fill?	No ³
7. Does the Preserve appear to be free of any trails, picnic areas, or other recreation-related development except as allowed in designated areas?	Yes
8. Does the Preserve appear to be free of any disturbance or biological problems noticed? (if 'No', see notes)	Yes
9. Does the Preserve appear to be free of any prohibited plants? (if 'No', see notes)	No ⁴

7. Does the Preserve appear to be free of any trails, picnic areas, or other recreation-related development except as allowed in designated areas?	Yes
8. Does the Preserve appear to be free of any disturbance or biological problems noticed? (if 'No', see notes)	Yes
9. Does the Preserve appear to be free of any prohibited plants? (if 'No', see notes)	No ⁴

ADDITIONAL 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 Not all areas are fenced; however, the majority of the areas are fenced or are very difficult for the public to access.

² Easements 1 and 3 have historic trash located on them, but CNLM staff removes trash and makes several trips to the dump each year and will continue to do so until the trash is gone.

³ There are several areas in Easements 2a and 2b that contain landscaped and irrigated slopes, brow ditches and a paved road (Easement 2b). Originally CNLM staff believed that the preserve boundaries were incorrect, but after further investigation did realize that these areas were in fact part of the preserve. Additionally, these areas were not supposed to be revegetated to native habitat by the developer. CNLM determined that the inclusion of these areas was an oversight during the original conservation easement property boundary and documentation preparation. The conservation values are not being compromised in this area as no native habitat was supposed to be preserved in these areas.

On April 30, 2010, CNLM staff noticed that approximately ½ acre of riparian and coastal sage scrub vegetation had been cleared within the Conservation Easement (CE) 4 by the Arrowood Golf Course staff. On that same day, CNLM staff contacted the Golf Course (Joe Neri) and told them to stop clearing vegetation and to remove the cleared vegetation that had been discarded into the HCA. On May 6, 2010, CNLM staff used a hand held GPS to mark the boundary of the areas that had been cleared. The attached map depicts the line to which Arrowood Golf Course staff cleared vegetation from within the CE. CNLM staff met with the golf Course staff and has allowed the Golf Course to revegetate the cleared area. A Notice of Violation was sent to the Golf Course. Two photographs are attached to this report.

On CE 3 there are several gabion baskets (check dams) that were created to slow water flow. In one of these locations, the gabion baskets failed after heavy rain events. They were repaired by the bank that was handling the bankruptcy case for the original developer. Three photographs of the repaired gabion baskets are attached to this report.

⁴ There are new patches of giant reed (*Arundo donax*) that CNLM locates every year. These patches are treated each year with herbicide. The conservation values of the preserve are not being compromised because CNLM is vigilant about treating this species in the preserve.

Follow up needed? YES X NO

Assigned to: Jessie Vinje (kill giant reed) Date: _____

Initial Action taken: _____ Date: _____

Final Action taken: _____ Date: _____

Observer/Preserve Manager Signature: _____



Photograph 1: Clearing of vegetation along edge of CE 4 with container plants in cleared area. Photograph taken from cellular phone camera. Photograph taken on November 17, 2010.



Photograph 2: Clearing of vegetation along edge of CE 4 with container plants in cleared area. Photograph taken from cellular phone camera. Photograph taken on November 17, 2010.



Photograph 3: Repaired gabion basket in CE 3.



Photograph 4: Repaired gabion baskets with erosion control in CE 3.



Photograph 5: Repaired gabion baskets in CE 3 showing where water will flow.

Appendix C- Notice of Violation Letter

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



September 9, 2010

Ed Perez, Director of Golf
Arrowood Golf Course
5201 A Village Drive
Oceanside, CA 92057

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION OF CONSERVATION EASEMENT

Morro Hills Habitat Conservation Area (Preserve S021)
Oceanside, California

Dear Mr. Perez:

The purpose of this letter ("Notice of Violation" or "NOV") is to advise the management of Arrowood Golf Course that there have occurred violations of the terms of the Conservation Easement ("CE") held by the Center for Natural Lands Management ("CNLM") over the Morro Hills Habitat Conservation Area ("HCA") for which we believe you to be responsible. This violation relates to the removal of coastal sage scrub and riparian vegetation from within Area 4 of the HCA. You need to continue to undertake corrective actions to restore the damaged habitat to its previous protected condition and establish controls to ensure future unauthorized entry and damage to the HCA will be prevented.

Thank you in advance for your cooperation in this matter. Please coordinate your compliance activities with our Preserve Manager, Ms. Jessica Vinje, who can be contacted at (760) 294-8439.

Sincerely,

David R. Brunner
President/Executive Director

Xcs:

Justin Kim
IAB, LLC
California Realty and Investment
4282 Wilshire Blvd. #200
Los Angeles, CA 90010

Morro Hills Preserve
Violation of Conservation Easement
September 9, 2010
Page 2 of 2

Jessica Vinje, Preserve Manager
Center for Natural Lands Management
215 West Ash Street
Fallbrook, CA 92028

David Monroe, General Counsel
Center for Natural Lands Management
215 West Ash Street
Fallbrook, CA 92028

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery 9/18/10</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>SEP 10 2010 CNLM</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
1. Article Addressed to: Ed Perez, Director of Golf Arrowood Golf Course 5201 A Village Drive Oceanside, CA 92057	
2. Article Number (Transfer)	Yes
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	