

Memorandum

To: Christine Medak, USFWS
Project: Devil's Gate Reservoir Restoration Project
From: Lauren Simpson
Date: May 23, 2020

Subject: Weekly Least Bell's Vireo Survey and Noise Monitoring Summary for the Devil's Gate Reservoir Restoration Project; Week of May 18-May 22, 2020

This memorandum has been prepared to summarize the results of the breeding season focused surveys for least Bell's vireo (*Vireo bellii pusillus*), nest monitoring, and noise monitoring activities conducted by ECORP Consulting, Inc. (ECORP) for Los Angeles County Public Works' (LACPW) Devil's Gate Reservoir Restoration Project (Project) in the City of Pasadena, Los Angeles County, California. The focused breeding season surveys, nest monitoring, and noise monitoring for least Bell's vireo were conducted to comply with Conservation Measure 11b of the USFWS Informal Section 7 Consultation that was issued for the Project which states:

"Noise buffer: Construction noise levels will be restricted to below 60 dBA Leq hourly at 100 feet from areas occupied by the vireo. Twice weekly surveys for the vireo will be conducted by the biological monitor in areas of suitable habitat within 500 feet of proposed construction activities to determine the presence of vireo nest building activities, egg incubation activities, or brood rearing activities. If vireos are present, noise monitoring will be conducted weekly and must demonstrate that noise levels are less than 60 dBA Leq hourly at specified monitoring locations, no less than 100 feet from the active nest(s) as determined by the biological monitor. Weekly survey reports will be prepared during the nesting season and sent electronically to the CFWO each week that vireos are detected. The weekly reports will identify the location of vireo nest sites and territories within 500 feet of the project."

Below is a summary of least Bell's vireo survey efforts and observations of least Bell's vireo prior to the start of Project activities on May 20, 2020.

- Focused breeding season surveys and preconstruction surveys for least Bell's vireo by CDFW- and USFWS-approved least Bell's vireo Designated Biologists began on March 4, 2020 and continued until May 19, 2020, the day prior to the initiation of Project activities.
- No least Bell's vireo were detected or observed during 15 focused breeding and preconstruction surveys between March 4, 2020 and May 7, 2020. A single male least Bell's vireo was documented incidentally by the ECORP restoration monitor on April 30, 2020. The male sang two complete songs before quickly leaving the area and was not detected for the remainder of the day.
- On May 8, 2020, a single male least Bell's vireo was documented incidentally by the ECORP restoration monitor. The male was observed consistently singing in the on-site restoration area throughout the morning. The restoration monitor ensured that no restoration work occurred

within 300-feet of the observation.

- On May 11, 2020, the least Bell's vireo Designated Biologist documented a pair of least Bell's vireo during a focused preconstruction survey. The observation was in the same area as the May 8 observation. The pair was observed foraging together and the male was observed singing.
- On May 12, 2020, the least Bell's vireo Designated Biologist documented nest-building activities by the pair during a focused preconstruction survey. The nest is located in a mule fat (*Baccharis salicifolia*) shrub approximately 475-500 feet from the Project sediment removal area boundary but within the current on-site restoration areas. A 300-foot no-work buffer was established around this nest location with flagging and ESA signage. The no-work buffer is enforced by the Designated Biologist monitoring the restoration crew full time daily to ensure that the buffer is not encroached during restoration activities. No construction-related activities have the potential to occur within the buffer.
- The least Bell's vireo pair was consistently observed during subsequent focused preconstruction surveys by least Bell's vireo Designated Biologists on May 15, 18, and 19, 2020. The least Bell's vireo Designated Biologists mapped the territory of the pair. The pair was documented foraging together and the male was documented singing within and along the edges of the territory. Based on observations during this time, the pair's territory may extend slightly outside of the 300-foot buffer established around the nest site. Designated Biologists will continue to verify the territory size in subsequent surveys and observe the activities of the pair to determine if expansion of the buffer size is required.

Project activities were initiated on May 20, 2020. A brief summary of the Project activities, focused least Bell's vireo survey and nest monitoring results, and noise monitoring results for the week of May 18, 2020 is provided below. A figure depicting the least Bell's vireo nesting location and territory within 500 feet of the Project site and noise monitoring graphs are included as attachments.

Project Activities – Week of May 18, 2020

Project activities began on May 20, 2020. All Project activities were monitored by a Designated Biologist. Project activities included the following:

- Preparation of the Project site for resuming sediment removal activities.
- Removal of emergent vegetation along the ESA fence line. Installation of the ESA fence along the east side of the Project site.
- Potholing at various designated locations within the Project boundary to test soil moisture levels.
- Mowing of low-growing emergent vegetation within the reservoir.
- Preparation of the site for the installation of the scale house and haul truck weighing stations.

Restoration activities were ongoing during the week of May 18, 2020 and included the removal of non-native vegetation from on-site restoration areas using hand tools.

Least Bell's Vireo Surveys and Noise Monitoring – Week of May 18, 2020

Focused Least Bell's Vireo Surveys

Three focused least Bell's vireo surveys were conducted during the week of May 18, 2020. Two surveys conducted on May 18 and 19, 2020 were conducted as preconstruction surveys. The survey conducted on May 21, 2020 was conducted as a focused breeding season survey, to be continued twice-weekly for the duration of the least Bell's vireo breeding season (through September 15). Each survey was conducted by a CDFW- and USFWS-approved Designated Biologist for least Bell's vireo surveys. The dates and personnel for each survey are presented in Table 1.

Date	Surveyor
05/18/20	Jill Coumoutso
05/19/20	Jill Coumoutso
05/21/20	Shannan Shaffer

The least Bell's vireo pair were documented during all three surveys conducted during the week of May 18, 2020. The location of the least Bell's vireo nest and territory are depicted in Attachment A. The male was observed singing within the territory and the pair was observed foraging together. On May 21, 2020 the least Bell's vireo Designated biologist documented that the nest had progressed into the incubation stage. During the survey, the female was observed sitting on the nest and the male was observed making repeated visits to the female to deliver food items.

No other observations of least Bell's vireo were documented elsewhere on the Project site during focused surveys conducted the week of May 18, 2020.

Least Bell's Vireo Noise Monitoring

Noise monitoring for the week of May 18, 2020 occurred on May 20, 2020, the Project start date. A noise monitoring station was established no less than 100 feet from the active least Bell's vireo nest under the direction of the least Bell's vireo Designated Biologist. Noise monitoring for Project activities occurred between 7:07 am and 3:18 pm. The monitor ensured that all construction hourly noise levels (Leq) remained below 60 dBA. All hourly Leq measurements were below 60 dBA during the noise monitoring (see Attachment B). Instances where noise levels momentarily exceeded 60 dBA were attributed to low-flying helicopters that passed above the site regularly throughout the day due to the close proximity of a helicopter landing pad southeast of the Project site.

Ms. Christine Medak
May 23, 2020
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If you have any questions regarding the contents of this letter report, please contact me at (714) 648-0630 or lsimpson@ecorpconsulting.com.

A handwritten signature in blue ink, appearing to read "Lauren Simpson", with a long horizontal flourish extending to the right.

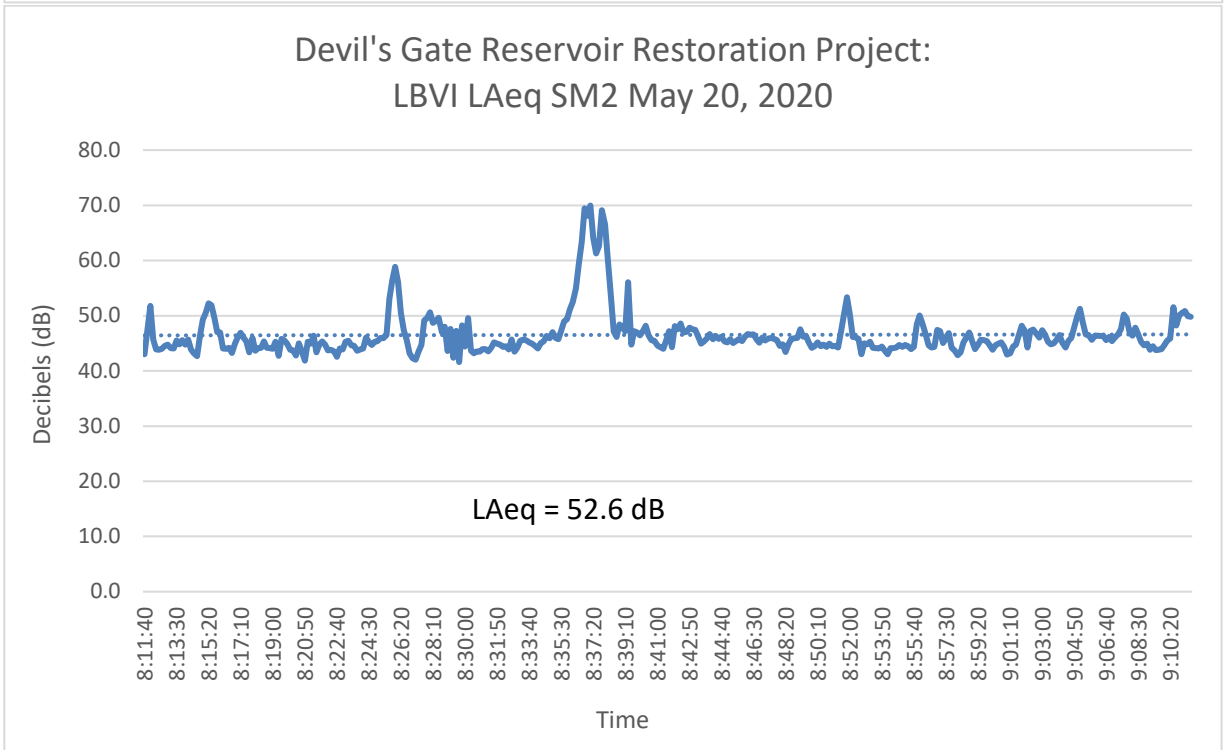
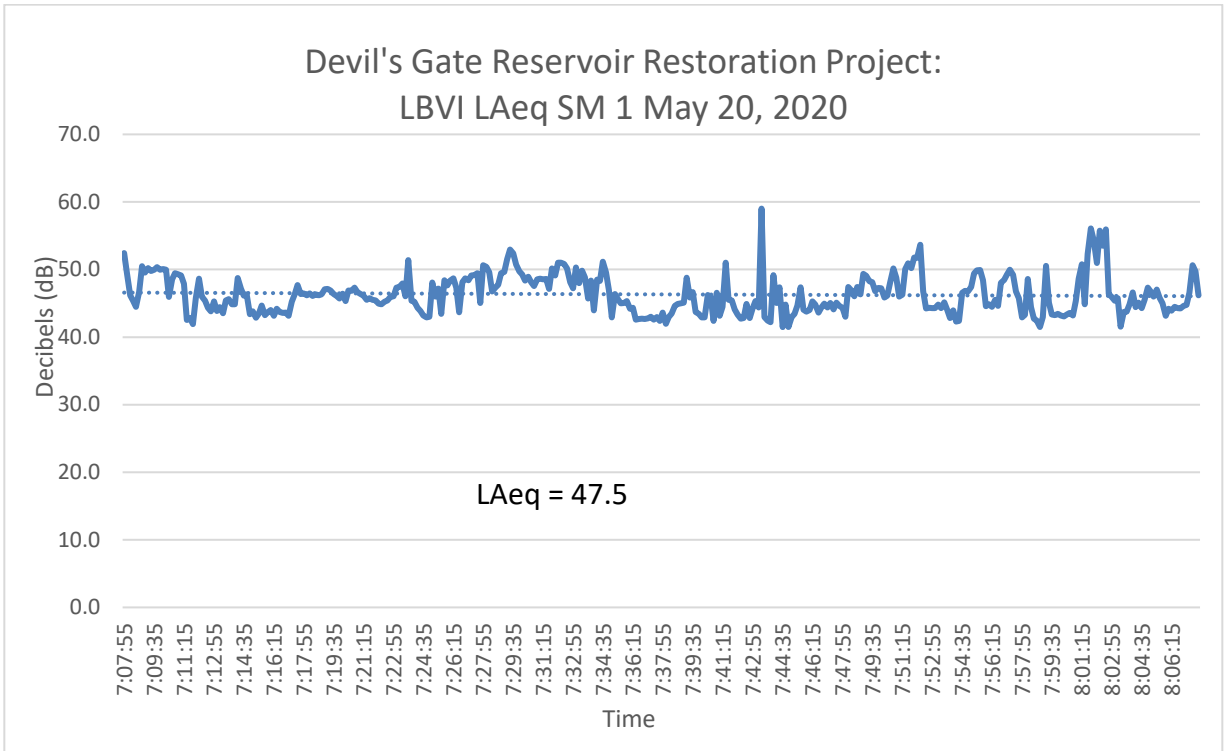
Lauren Simpson, Staff Biologist/Project Manager
ECORP Consulting, Inc.

Attachments:

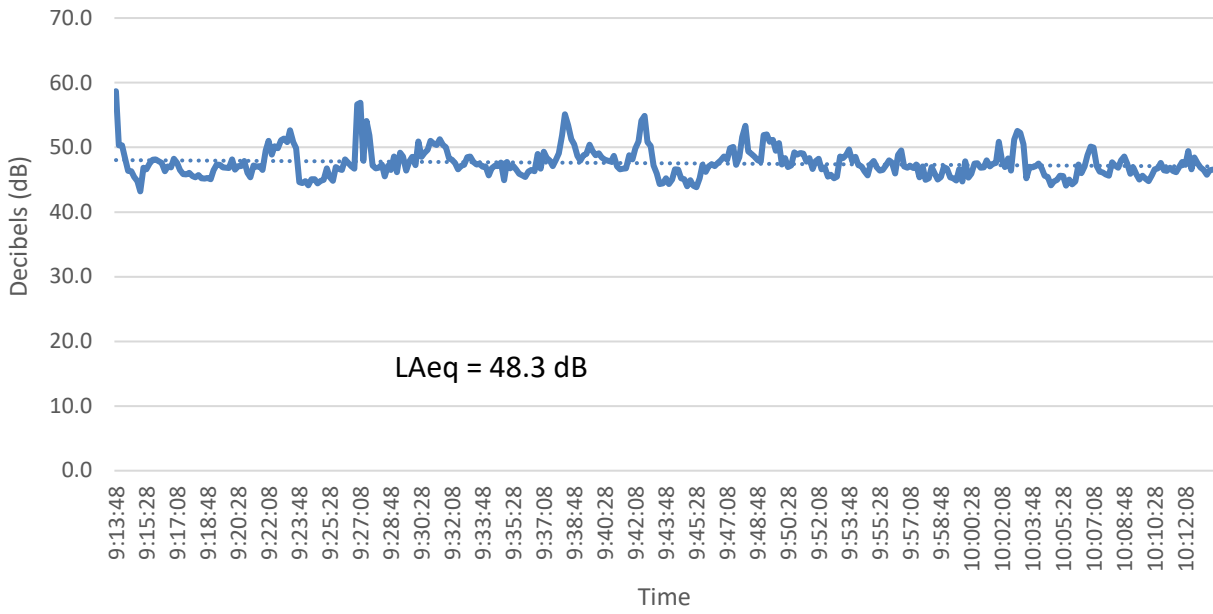
Attachment A – Location of Least Bell’s Vireo Nest and Territory
Attachment B – Noise Monitoring Graphs

ATTACHMENT A

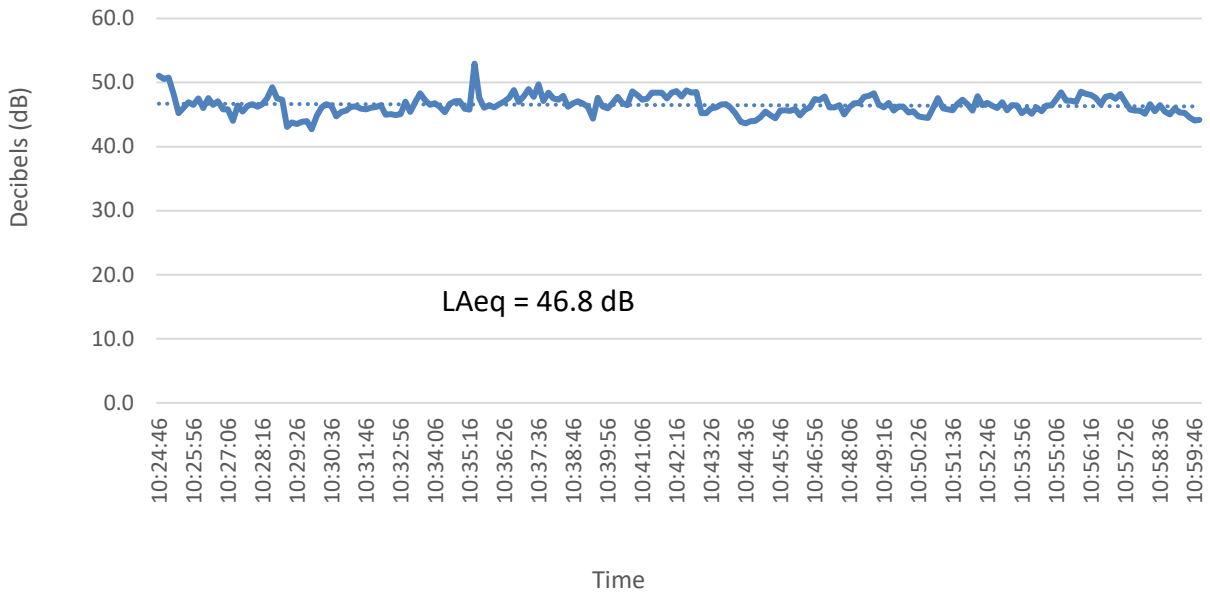
Location of Least Bell's Vireo Nest and Territory



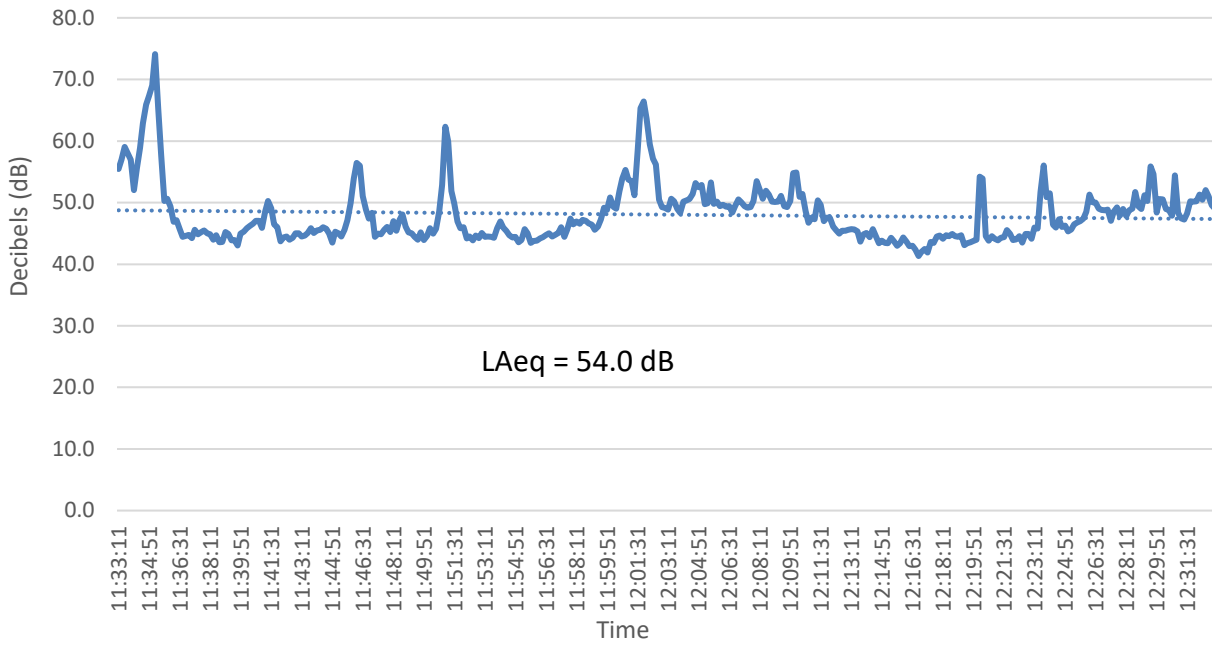
Devil's Gate Reservoir Restoration Project:
LBVI LAeq SM 3 May 20, 2020



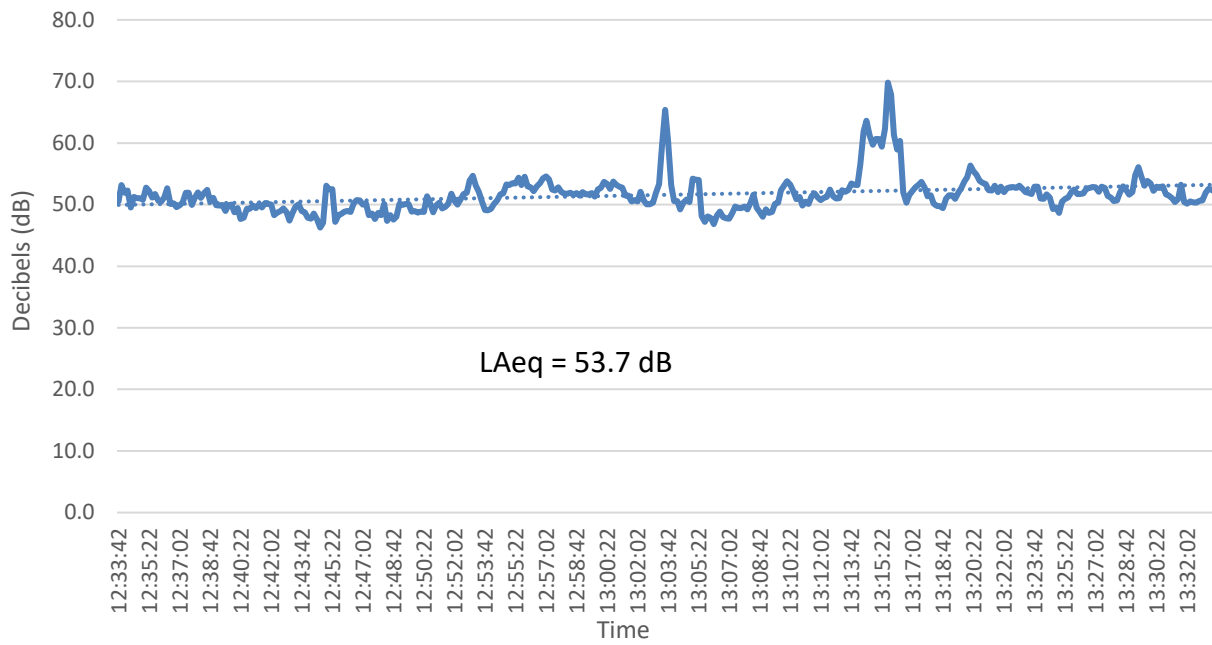
Devil's Gate Reservoir Restoration Project:
LBVI LAeq SM 4 May 20, 2020



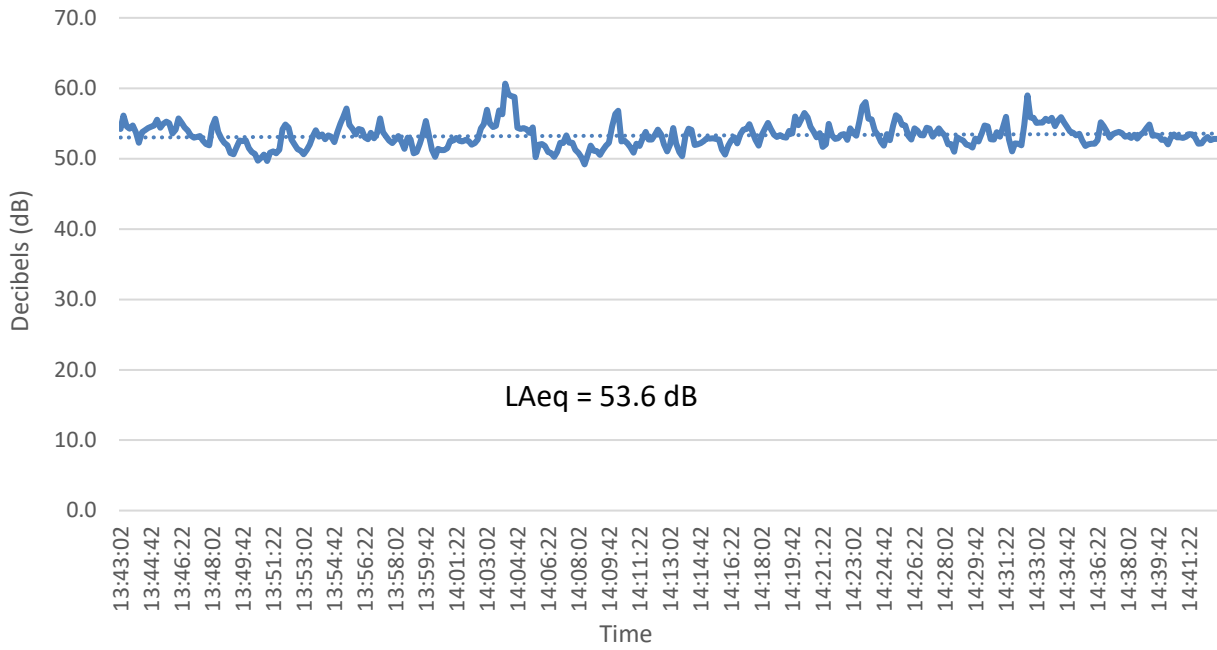
Devil's Gate Reservoir Restoration Project:
LBVI LAeq SM 5 May 20, 2020



Devil's Gate Reservoir Restoration Project:
LBVI LAeq SM 6 May 20, 2020



Devil's Gate Reservoir Restoration Project:
LBVI LAeq SM 7 May 20, 2020



Devil's Gate Reservoir Restoration Project:
LBVI LAeq SM 8 May 20, 2020

