

June 7, 2019 (2018-047.012)

Ms. Veronica Mardis County of Los Angeles Department of Public Works Stormwater Engineering Division Via Email: <u>Vmardis@dpw.lacounty.gov</u>

# Subject: Least Bell's Vireo Preconstruction Surveys for the Devil's Gate Reservoir Restoration Project, in the City of Pasadena, California

Dear Ms. Mardis,

This letter report has been prepared to present the results of preconstruction surveys for least Bell's Vireo (*Vireo bellii pusillus*) conducted by ECORP Consulting, Inc. (ECORP) for Los Angeles County Department of Public Works' (LACDPW) Devil's Gate Reservoir Restoration Project in the City of Pasadena, Los Angeles County, California. The preconstruction surveys for least Bell's vireo were conducted to comply with Condition 7.3.2 in the California Department of Fish and Wildlife (CDFW) Incidental Take Permit (ITP) No. 2081-2016-031-05 that was issued for the Devil's Gate Reservoir Restoration Project (Project) which states:

"The Designated Biologist(s) shall begin surveys 30 days before Covered Activities begin (or after a substantial break in construction monitoring) and shall continue on a weekly basis with one (1) survey conducted no more than (3) days prior to initiation of Covered Activities."

In addition, the surveys were conducted to comply with Conservation Measure 11a of the Informal Section 7 Consultation (Section 7) No. FWS-LA-14B0081-15I0477 for the Project which states:

"Surveys by the biological monitor will be conducted a minimum of three times on separate days to determine the presence of vireo nest building activities, egg incubation activities, or brood rearing activities within 300 feet of the project area. These surveys will be conducted within the week prior to the initiation of project activities. One survey will be conducted the day immediately prior to the initiation of project activities. If no nests, nesting behavior, or brood rearing activities are detected within 300 feet of the project area, work may commence."

# SURVEY METHODS

Preconstruction surveys for least Bell's vireo were conducted in compliance with ITP Condition 7.3.2 and Section 7 Conservation Measure CM 11a for Project activities that are to occur during

the vireo's breeding season. Surveys were conducted between dawn and 11 a.m. when weather conditions were favorable in accordance with USFWS 2001 protocol (nesting season) guidelines.<sup>1</sup> Meandering transects were walked throughout suitable least Bell's vireo habitat areas within 500 feet of the Project boundaries to visually and audibly detect the presence of least Bell's vireo. All bird and wildlife species detected during the survey were recorded on standardized data sheets. All surveys were conducted in compliance with the Nesting Bird Management Plan prepared for the Project.<sup>2</sup>

# **RESULTS**

Seven preconstruction surveys for least Bell's vireo were conducted within 30 days of the initiation of excavation work within the sediment removal area which was slated to begin on April 15, 2019. Each survey was conducted by a CDFW- and USFWS-approved Designated Biologist for least Bell's vireo surveys. The dates, personnel, and weather conditions for each survey are presented in Table 1. Survey datasheets are provided in Attachment A.

Table 1. Weather Conditions during Surveys										
Date			Time		Temperature (°F)		Cloud Cover (%)		Wind Speed (mph)	
	-	start	end	start	end	start	end	start	end	
3/15/19	TD	0658	1100	46	68	15	<5	0-1	0-1	
3/11/19	TD	0645	1100	54	66	15	25	0-1	1-3	
3/28/19	LS	0645	1100	50	65	95	80	0-3	1-4	
4/2/19	TD	0658	1100	54	64	0	<5	0-1	1-3	
4/9/19	AD	0640	1050	56	74	10	20	1-3	3-5	
4/12/19	BS	0714	1042	51	66	0	3	0	1-3	
4/14/19	ST	0630	0956	54	63	10	10	0	1-2	
*AD = Adam DeLuna	, BS = Ben Smith, LS =	Lauren Sin	npson, ST =	Scott Taylor,	TD = Taylor I	Dee				

No least Bell's vireo were identified during the preconstruction surveys. A complete list of all birds and other wildlife observed during the preconstruction surveys is provided in Attachment C.

# **DISCUSSION**

Seven focused preconstruction surveys conducted during the 2019 breeding season did not detect least Bell's vireo in or within 500 feet of the Project site.

Observations of least Bell's vireo previously documented within the Project area have been irregular, and no consistent detection of the species throughout the breeding season has been documented at the site since 2013. At that time, a single male was present, but he was not paired with a female during the breeding season. Additionally, the timing of observations in the early and late periods of the breeding season during subsequent survey years coincides with the

<sup>&</sup>lt;sup>1</sup> U.S. Fish and Wildlife Service (USFWS). 2001. Least Bell's Vireo Survey Guidelines. U.S. Department of the Interior. Carlsbad, CA, USFWS, 3 pp.

<sup>&</sup>lt;sup>2</sup> ECORP Consulting, Inc (ECORP). 2019. Nesting Bird Management Plan, Devil's Gate Reservoir Restoration Project, Los Angeles County, California. Prepared for the Los Angeles Department of Public Works, Water Resource Division. March 2019.

seasonal migrations of least Bell's vireos through the Project area. The lack of detection of any individuals throughout seven focused surveys implies that breeding least Bell's vireos were absent from the Project site prior to the initiation of excavation work within the sediment removal area as of April 15, 2019.

If you have any questions regarding the contents of this letter report, please contact me at (714) 648-0630 or <a href="mailto:lsimpson@ecorpconsulting.com">lsimpson@ecorpconsulting.com</a>.

SIGNED:

DATE: June 7, 2019

Lauren Simpson Staff Biologist ECORP Consulting, Inc. 1801 Park Court Place, Building B. Ste 103. Santa Ana, CA 92701

## Attachments:

Attachment A: Survey Datasheets Attachment B: Wildlife Compendium

# ATTACHMENT A

Survey Datasheets



1100

END

# LEAST BELL'S VIREO (Vireo bellii pusillus) SURVEY FORM

Date: <u>3/15/19</u> Survey number: <u>1</u>			oject Name _]		1018-047.012 ate Reservoir (	
	liteble habitect in work areas + 500 ft buffe					buffer
OBSERVERS:		SURVEY CONDITIONS				
Taylor Dee		Time	Temp (F)	Wind (mph)	% Cloud Cover	
ι.	START	0658	46°F	0-1	15%	

68° F

0-1

	LE	AST BELL'S VI		
Location <sup>†</sup> (UTM NAD 83)	Appr. Age	Status*	Band (Y/N)	Additional Comments (Behavior, Activity, Location in Canopy, etc.)
and the second se				no LBVI detected in work area or 500-ft buffer
			2	

<sup>†</sup>Draw/denote territory or use area on aerial map \*Paired, territorial male, single individual, juvenile

BROWN-HEADED COWBIRD OBSERVATIONS				
# of individuals	0			
Locations				

5%

2



19 1C Date: \_ 3 Survey number:

Project # <u>9018-047.012</u> Project Name <u>Devil's Gate Reservior</u> Restoration Project

# OTHER SENSITIVE SPECIES OBSERVATIONS (SWWF, YBC, ETC.)

n/a

INCIDENTAL SPECIES OBSERVED							
BEWR SPTO COYE SOSP ralloon (tracks) HOFI NUWO CARU WREN Parrot P. CALI CORA CALT NOFL CASJ	CATH ANHU HOWE LEGO YRWA MODO AMRO WEBL EUST AMCE WTSW BUSH NRWS MALL KILL BLPH	WCSP Western side-blotched lizard Western fence lizard RTHA HUVI desert cottontail Coyote (vocalization) dusty-footed woodrat					

	ADDITIONAL NOTES:					
Na						



Date: 3/19/19 Survey number: 4	Pro	oject Name <u>ī</u>	Project # <u>전</u> 2001 5 (~~)	He Reservoir	2 pestoration Project	
Surveyed in Sui OBSERVERS:	table hobitat in work areas + 500 ft buffer SURVEY CONDITIONS					
Taylor Dee		Time	Temp (F)	Wind (mph)	% Cloud Cover	
,	START	0645	54	0-1	15	
	END	1100	(06	1-3	25	

	LE	AST BELL'S VIR	EO OBSER	VATIONS
Location <sup>†</sup> (UTM NAD 83)	Appr. Age	Status*	Band (Y/N)	Additional Comments (Behavior, Activity, Location in Canopy, etc.)
$\bigotimes$				no LBVI detected in work area or in 500A buffer

<sup>†</sup>Draw/denote territory or use area on aerial map \*Paired, territorial male, single individual, juvenile

BROWN-HEADED COWBIRD OBSERVATIONS				
# of individuals	Ø			
Locations				



Project # \_2018-047.012 Date: <u>3/19/19</u> Project Name Devil's Gate Reservior 2 Survey number: Restoration Project OTHER SENSITIVE SPECIES OBSERVATIONS (SWWF, YBC, ETC.) Na INCIDENTAL SPECIES OBSERVED Pacific-slope flycatcher Northern flicker House wren Hutton's vireo ( difornia canada goose Bewick's wren California thrather spotted towhee Anna 15 hummingbird Song sparrow Wrentit western bluebird red-tailed newle House finch dark-eyed junco common raven yellow-rumpled worker red-tailed hawk american crow mourning dove European starting Bushtit desert cottontail california towhee Nuttall's woodpecker Allen's hummingbird white-crowned sparrow common yellowthroat California scrubjay acorn wood pecker California quail ruby-crowned kinglet Black Phoebe Lesser geldfinch Say 's phoebe parrot sp. **ADDITIONAL NOTES:** 

Na



Date: <u>Narch 28,2</u> 099 Survey number: <u>3</u>			Project # <u>2018-017.012</u> Project Name <u>Devil's bate Refervoir Ration</u> ation Project			
Survey conducted in	suitabl	e habitat i	within GD	D=A of Pr	noral Area	
OBSERVERS:			SURVEY (	ONDITIONS		7
Lauren Simpson		Time	Temp (F)	Wind (mph)	% Cloud Cover	-
1	START	0645	50	0-3	95	-
	END	1100	65	1-4	80	
	LEAST	BELL'S VIR	EO OBSERVA	TIONS		7
Vireo Status		n Survey Are		Appr. Age	Bands (Y/N)	-
Paired	NO	rbn1	Observed		Photo:	
Territorial Male					Section 2001	-
Juvenile					Name of the second seco	-
Additional	Comment	s (Behavior,	Activity, Loc	ation in Canopy	, etc.)	1
N/A						_

BROWN-HEADED COWBIRD OBSERVATIONS				
# of individuals	Ø			
Locations				

OTHER SENSITIVE SPECIES OBSERVATIONS (SWWF, YBC, ETC.) No other sensitive spectes observed.



Date: <u>Mar 28 2019</u> Survey number: <u>3</u> Project # 2018-047.012 Project Name Devil's Gale Repervoir Restoration Project

INCIDENTAL SPECIES OBSERVED					
Spottictonnee		operts Hawk			
common je lawthroat		udriken Plicker			
Bewick's uren	Allen's humminghard B	we-gray Enatrathe-			
lesser goldfinch		Filldeer			
California towher	writt	Hennet-thrush			
Acon we dpecker	House wren	California Quail Causin's kingbird			
European Starling		VAL TILLA LAWK			
American Crow	pacific-slopeflycatche	C			
California Scrub Jay	Northern rough-whyld	swallow White-throated.			
White-crowned sparnin	Black-throated Gray work	ver Hooded Worgander			
Bushtit	Famot p.				
yellow-numped workler	American Robin				
Nuthall woodpecker	California Mrasher				
Westen Rive bird	Canada yoose				
Mourningdove	Common raven				

# **ADDITIONAL NOTES:**



Date: Survey number:		Project # 2018-047.012 Project Name Devil's Gate Peservoir				
surveyed in suite	able 1	rabitet	within	Restorat	ion Project an	+ pa
OBSERVERS:			SURVEY C	ONDITIONS	<u>i i geor</u>	
Taylor Dee		Time	Temp (F)	Wind (mph)	% Cloud Cover	
	START	0658	54	0-1	O	
	END	1100	64	1-3	45	

LEAST BELL'S VIREO OBSERVATIONS				
Location <sup>†</sup> (UTM NAD 83)	Appr. Age	Status*	Band (Y/N)	Additional Comments (Behavior, Activity, Location in Canopy, etc.)
$\mathcal{O}$		х.		
				8.

<sup>†</sup>Draw/denote territory or use area on aerial map \*Paired, territorial male, single individual, juvenile

BROWN-HEADED COWBIRD OBSERVATIONS		
# of individuals	Ø	
Locations		



Date: \_ 4/ 2/ 19 Survey number:

Project Name \_\_\_\_\_\_ Project # \_\_\_\_\_\_ DO18-04 Project Name \_\_\_\_\_\_ Devil's Gate Reserved

# OTHER SENSITIVE SPECIES OBSERVATIONS (SWWF, YBC, ETC.)

n/a

INCIDENTAL SPECIES OBSERVED				
SPTO	MODO	HOOR		
BEWR	YRWA	RSHA		
ACUD	CALT	NOMO		
CASJ	505P	desert cottontail		
porrot sp.	COYE	western fence lizard		
CATH	PSFL	western side-blotch lizard		
ANHU	HUVI	California kingsnake		
WESP	HOFI	Common racoon (tracks)		
GAQU	BHGR			
NUUD	BUSH			
EUST	MERL			
CORA	RTHA			
WREN	CARI			
LEGO	AMGO			
NRWS	CAGO			

ADDITIONAL NOTES:				
n/a				

2018-047.012

Proi

Restoration

- Ecorp: Devils Gate Dam LBV Survey -9 April 2019 0640-56.F. 10% cloud cover, 1-3 mph winds. Conducting LBV survey in surtable habitat within the 500' buffer. Obtained survey area through Collector App shared by Ecorp. Starting survey at Southern and of viparian habited located along the western side of the project. YEWA, SOSP, CALT, WITH, NEWS, ANHU, BLPH, VEWA, KILL, BEWR, CORA, BUSH, NUNO, LEGO, CAGO, OCWA, WCSP, BHGR, RCKI, ALHU, CASJ, PTHA, DG-BUSH-01(115 391531-3783513), Observed pair gathering nesting material and bringing it to a recently started nest Nest ~ 15'above ground in 5. goodingii, BHCO, HOFL, DG-ALHU-DI: Observed female gathering nesting material (spider webs) and bringing it back to a recently storted nest. Nest ~ 15' above ground on small S-facing branch of a P. racemosa CANILATIE (SMall ind), NEOTFUSC (nests). DG-ALHU-01 (115 391524-3783573), HUNI, PROCLOTO (+acks) PSFL, HOWR, DG-BUSH-02(115 391522-3783113): Observed pair gathering nesting material and bringing it to an almost complete nest Nest ~ 12' above ground in a dump of dead

Ecorp - Devils Gate Dam LEN Smay - Continuedleaves hanging from a 3. goodingii. MODO, EUST, AMCR, LYNXRUFU (1 ind, see photos). LISP, BGGN, CAOU, COYE, SCEOCC, ACWO, UTASTA, NOFL, CATH, DG-WREN-OI (115 391669-3783994): Observed male gathering resting Material near trail and taking it to waypoint locationdove into lower B. salicifolia/C. maculation. He popped up a few minutes later, sang, and no longer had nesting material. Likely nesting low to ground near waypoint. SPERBEEC, SYLVAUDU, NOMO, ATFL, FOSP, ROPI, ELGMUL, WEKI, End of Survey @ 1050 - 74°F, 201. cloud cover, 3-5 mph wind. No LEV observed during the survey.

# Least Bell's Vireo Log for Devils Gate (Environmental Conditions)

Submitted by: SoCal\_Bio

Submitted time: Apr 12, 2019, 10:44:12 AM

Survey Date

Apr 12, 2019

**Observer Name** 

#### **Ben Smith**

#### Survey Conditions

Start Time

## 07:14

Start Temperature

## 51

Start Wind Speed

## 0

Start Cloud Cover

End Time

# 10:42

End Temperature

#### 66

End Wind Speed

### 1-3

End Cloud Cover

## 3

Were Least Bell's Vireo Observed

No

# Brown-Headed CowBird Observations

Number of Individuals

2

Locations

34.191454, -118.175874

Least Bell's Vireo Log for Devils Gate (Environmental Conditions)

Incidental Species Observed

Coha
Coye
Amro
Cath
Caqu
Deju
Casj
Bewr
Acwo
Amcr
Spto
Wren
Calt
Auwa
Sosp
Cottontail
Bhgr
Eust
Cora
Rcki
Anhu
Bush
Heth
Lego
Lisp
Atfl
Wcsp
Alhu
Hofi
Nuwo
Lewo
Hoor
Bhco
Buor
Ywar
Oati
Ocwa
W fence liz
Psfl
Blph
Wtsw
Kill
Nrws
Rtha
Rsha
Caki
Jani

# Howr Nomo

Additional Notes

Webl Modo Weme Chsp

Log Completed?

Yes

# Least Bell's Vireo Log for Devils Gate (Environmental Conditions)

Submitted by: SoCal\_Bio

Submitted time: Apr 14, 2019, 9:57:29 AM

Survey Date

Apr 14, 2019

**Observer Name** 

#### Other

Other Observer

## **Scott Taylor**

### Survey Conditions

Start Time

#### 06:30

Start Temperature

#### 54

Start Wind Speed

### 0

Start Cloud Cover

## 10

End Time

# 09:56

End Temperature

## 63

End Wind Speed

# 1-2

End Cloud Cover

10

Were Least Bell's Vireo Observed

## No

Brown-Headed CowBird Observations

Number of Individuals

## Locations

House wren Bewick's wren Western bluebird Ca thrasher No mockingbird **Europ starling** House finch Lesser goldfinch White-crowned sparrow So sparrow Ca towhee Sp towhee **OC** warbler **Common yellowthroat** Yellow warbler Ye-rumped warbler **Black-throated gray** BHGR

Incidental Species Observed

- Orange-crowned warbler Mallard Ca quail Mourning dove
- Ca ground squirrel Botta's pocket gopher Coyote Raccoon Brush rabbit Desert cottontail Red admiral Painted lady Western fence lizard Western tiger swallowtail Side-blotched lizard Common white

## Additional Notes

Anna's h-bird Killdeer Red-shouldered hawk Red-tailed hawk Red-tailed hawk Red-crowned parrot Amazona sp. Pacific-slope flycatcher Ash-throated flycatcher California scrub jay American crow Common raven Northern rough-winged swallow Cliff swallow Bushtit (Continued ...)

Log Completed?

Yes

# ATTACHMENT B

Wildlife Compendium

Scientific Name	Common Name
	REPTILES
Anguidae	Northern Hemisphere Lizards
Elgaria multicarinata	southern alligator lizard
Colubridae	Snakes
Lampropeltis californiae	California kingsnake
Phrynosomatidae	Spiny Lizards
Sceloporus occidentalis	western fence lizard
Uta stansburiana	common side-blotched lizard
	BIRDS
Accipitridae	Hawks
Accipiter cooperii	Cooper's hawk
Buteo jamaicensis	red-tailed hawk
Buteo lineatus	red-shouldered hawk
Aegithalidae	Bushtits
Psaltriparus minimus	bushtit
Anatidae	Ducks, Geese, and Swans
Anas platyrhynchos	mallard
Branta canadensis	Canada goose
Lophodytes cucullatus	hooded merganser
Apodidae	Swifts
Aeronautes saxatalis	white-throated swift
Cardinalidae	Cardinals
Pheucticus melanocephalus	black-headed grosbeak
Charadriidae	Plovers, Dotterels, and Lapwings
Charadrius vociferus	killdeer
Columbidae	Pigeons and Doves
Columba livia*	rock pigeon
Zenaida macroura	mourning dove
Corvidae	Jays and Crows
Aphelocoma californica	California scrub-jay
Corvus brachyrhynchos	American crow
Corvus corax	common raven
Falconidae	Falcons
Falco columbarius	merlin
Fringillidae	Finches
Haemorhous mexicanus	house finch
Spinus psaltria	lesser goldfinch
Spinus tristis	American goldfinch
Hirundinidae	Swallows
Petrochelidon pyrrhonota	cliff swallow

# Wildlife Species Observed

Scientific Name	Common Name		
Stelgidopteryx serripennis	northern rough-winged swallow		
Icteridae	New World Blackbirds		
Icterus bullockii	Bullock's oriole		
Icterus cucullatus	hooded oriole		
Molothrus ater	brown-headed cowbird		
Sturnella neglecta	western meadowlark		
Mimidae	Mockingbirds and Thrashers		
Mimus polyglottos	northern mockingbird		
Toxostoma redivivum	California thrasher		
Odontophoridae	Quails and Partridges		
Callipepla californica	California quail		
Paradoxornithidae	Wrentits		
Chamaea fasciata	wrentit		
Paridae	Titmice		
	oak titmouse		
Baeolophus inornatus Parulidae	Wood-warblers		
Geothlypis trichas	common yellowthroat		
Oreothlypis celata	orange-crowned warbler		
Setophaga coronata	yellow-rumped warbler		
Setophaga nigrescens	black-throated gray warbler		
Setophaga petechia**	yellow warbler		
Passerellidae (previously Emberizidae)	Sparrows and Towhees		
Junco hyemalis	dark-eyed junco		
Melospiza lincolnii	Lincoln's sparrow		
Melospiza melodia	song sparrow		
Melozone crissalis	California towhee		
Passerella iliaca	fox sparrow		
Pipilo maculatus	spotted towhee		
Spizella passerina	chipping sparrow		
Zonotrichia leucophrys	white-crowned sparrow		
Picidae	Woodpeckers		
Colaptes auratus	northern flicker		
Picoides nuttallii	Nuttall's woodpecker		
Melanerpes formicivorus	acorn woodpecker		
Melanerpes lewis**	Lewis's woodpecker		
Poplioptilidae (previously Silviidae)	Gnatcatchers		
Polioptila caerulea	blue-gray gnatcatcher		
Psittacidae	Old World Parrots		
Amazona sp.*	parrot sp.		
Amazona viridigenalis*	red-crowned parrot		
Regulidae	Kinglets		
Regulus calendula	ruby-crowned kinglet		
Sturnidae	Starlings		
Sturnus vulgaris*	European starling		

Scientific Name	Common Name
Calypte anna	Anna's hummingbird
Selasphorus sasin	Allen's hummingbird
Troglodytidae	Wrens
Thryomanes bewickii	Bewick's Wren
Troglodytes aedon	house wren
Turdus migratorius	American robin
Turdidae	Thrushes
Catharus guttatus	hermit thrush
Sialia mexicana	western bluebird
Tyrannidae	Tyrant Flycatchers
Empidonax difficilis	Pacific-slope flycatcher
Myiarchus cinerascens	ash-throated flycatcher
Sayornis nigricans	black phoebe
Sayornis saya	Say's phoebe
Tyrannus verticalis	western kingbird
Tyrannus vociferans	Cassin's kingbird
Vireonidae	Vireos
Vireo huttoni	Hutton's vireo
	MAMMALS
Canidae	Dogs, Wolves, and Foxes
Canis latrans	coyote
Cricetidae	Hamsters, Rats, and Mice
Neotoma fuscipes	dusky-footed woodrat
Felidae	Cats
Lynx rufus	bobcat (tracks)
Geomyoidea	Gophers
Thomomys bottae	Botta's pocket gopher
Leporidae	Hares and Rabbits
Sylvilagus audubonii	desert cottontail
Procyonidae	Raccoons and allies
Procyon lotor	common raccoon
Sciuridae	Squirrels
Otospermophilus beecheyi	California ground squirrel
	INSECTS
Nymphalidae	Butterflies
Vanessa atalanta	red admiral
Vanessa cardui	painted lady
Papilionidae	Swallowtail Butterflies
Papilio rutulus	western tiger swallowtail

\*Nonnative species \*\*CDFW California Species of Special Concern/CDFW Fully Protected Species