

# Memorandum

To: Christine Medak, USFWS  
Project: Devil's Gate Reservoir Restoration Project  
From: Lauren Simpson  
Date: July 16, 2020

**Subject: Weekly Least Bell's Vireo Survey and Noise Monitoring Summary for the Devil's Gate Reservoir Restoration Project; Week of July 6 – July 10, 2020**

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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."

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 was provided in the previously transmitted memo covering the period of May, 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 July 6, 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 for the week of July 6, 2020 are included as attachments.

## Project Activities – Week of July 6, 2020

### *Sediment Removal Activities*

Project activities related to sediment removal activities continued during the week of July 6, 2020. All Project activities were monitored by a Designated Biologist. Project activities related to sediment removal activities included the following:

- Sediment removal hauling activities. Sediment removal and hauling activities included the loading of sediment within the Project site into bottom-dump haul trucks using excavators.
- Mowing and removal of emergent vegetation within the reservoir.

### *Restoration Activities*

On-site restoration activities were ongoing during the week of July 6, 2020 and included the removal of non-native vegetation from on-site restoration areas using hand tools. No restoration activities occurred within the 300-foot buffer around the least Bell's vireo nest, which was enforced by the monitoring Designated Biologist.

## Least Bell's Vireo Surveys and Noise Monitoring – Week of July 6, 2020

### *Focused Least Bell's Vireo Surveys*

Two focused least Bell's vireo surveys were conducted during the week of July 6, 2020. The two surveys, which occurred on July 6 and July 10, 2020, were conducted as focused breeding season surveys, 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.

<b>Date</b>	<b>Surveyor</b>
07/06/20	Jill Coumoutso
07/10/20	Jill Coumoutso

The least Bell's vireos were documented during surveys conducted during the week of July 6, 2020. The location of the least Bell's vireo nest and territory are depicted in Attachment A. During the survey conducted on July 6, 2020, the Designated Biologist observed the male singing consistently within the previously documented territory and feeding at least one fledgling. The female was observed briefly during this survey. During the survey conducted on July 10, 2020 the male was observed singing and feeding at least two fledglings. The female was not observed during this survey. On July 9, 2020, the least Bell's vireo Designated Biologist on-site for construction monitoring observed the least Bell's vireo family group

approximately 700 feet northeast of the nesting location. The male was observed singing consistently and being followed by four other vireo individuals exhibiting begging behavior. At least three were fledglings. It is possible that the fourth individual was the female and not a fledgling but it could not be confirmed by the Designated Biologist while construction monitoring. The family group continued moving to the northwest. The family group continues to be present at the Project site during surveys and the fledglings, while mobile, remain dependent on the adult pair. No additional signs of nesting have been observed. These observations may indicate that the pair has completed breeding activities for the season. Per ECORP's email communication with USFWS on July 15, 2020, restoration activities will resume within the 300-foot buffer. Restoration activities will be limited to hand pulling of weeds by a crew of no more than five workers under the supervision of a Designated Biologist. Restoration activities will begin at the outermost edges of the buffer as to reduce any temporary disturbances to foraging vireo in the area. The limitations on restoration activities within the buffer will remain in place until the Designated Biologist confirms that the vireo family group have left the Project site for the season. No sediment hauling activities will occur within the buffer.

No other observations of least Bell's vireo were documented elsewhere on the Project site during focused surveys conducted the week of July 6, 2020.

#### *Least Bell's Vireo Noise Monitoring*

Noise monitoring for the week of July 6, 2020 occurred on July 10, 2020. 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 6:56 am and 3:19 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 the movements of the noise monitor in close-proximity to the noise meter at the start of each hour to program the meter for hourly measurements and 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.

The vireo family group are now mobile within the Project site and no hourly Leq levels at or above 60 dBa have been recorded at the noise monitoring location to date. Sediment hauling activities are currently taking place well outside of the vireo territory and buffer. Noise monitoring occurred during the week of July 13, 2020 (the results of which will be presented in the subsequent memo). However, per ECORP's email communication with USFWS on July 15, 2020, noise monitoring activities will be stopped until sediment hauling activities return closer to the occupied habitat than was previously monitored, assuming that the vireos are still occupying the Project site at that point.

If you have any questions regarding the contents of this letter report, please contact me at (714) 648-0630 or [lsimpson@ecorpc consulting.com](mailto:lsimpson@ecorpc consulting.com).

*Ms. Christine Medak*

*July 16, 2020*

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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**

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Location of Least Bell's Vireo Nest and Territory

Location: N:\2014\2014-003\_008 Devils Gate Mitigation Plan\Map\Stos\_and\_mitigation\_monitoring\2020\DC\_LBVI\_monitoring\_20200528.mxd (WAG)-mguidry 6/15/2020

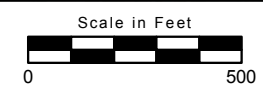
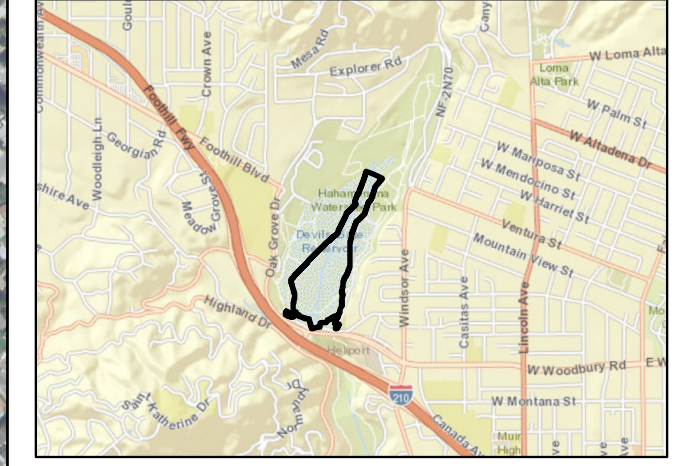


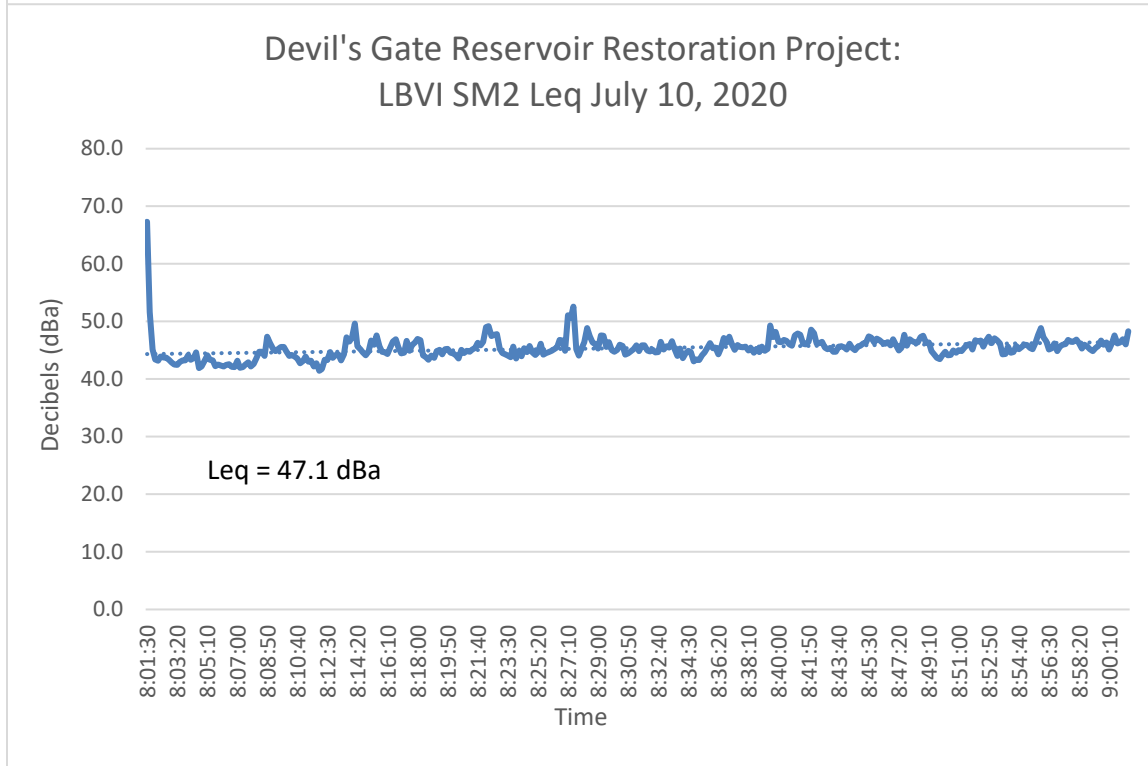
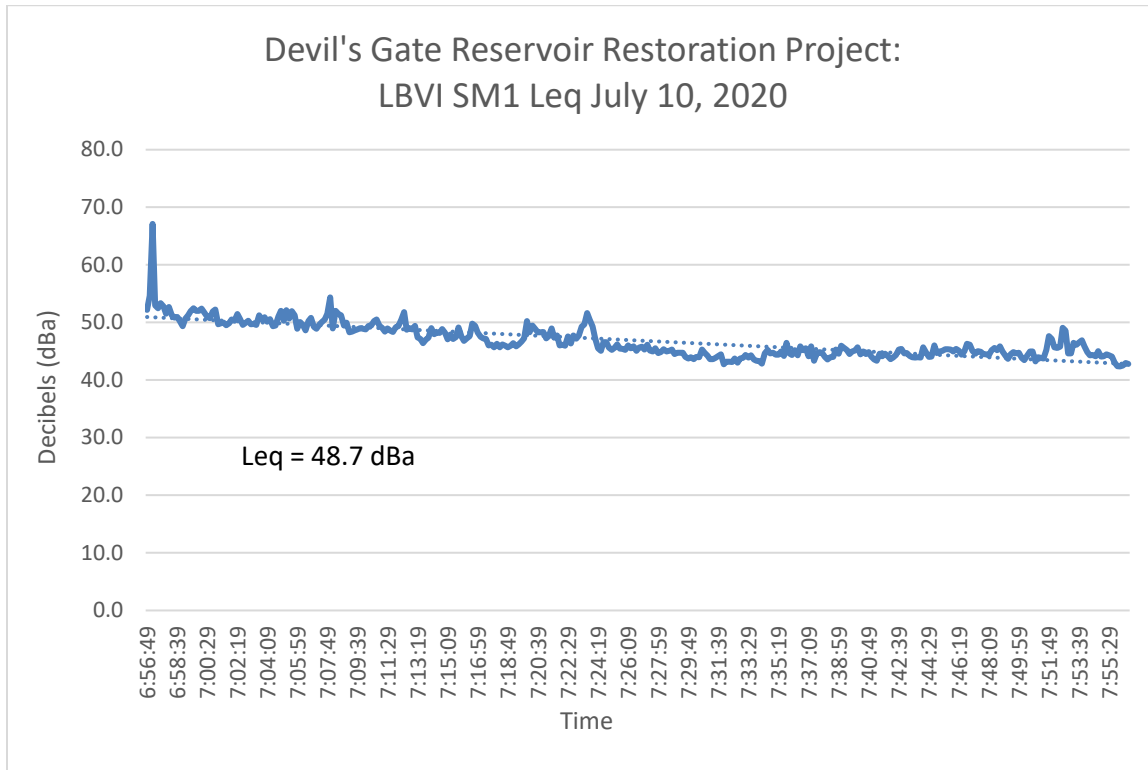
**Figure 1.**  
**Least Bell's Vireo Monitoring**  
**July 6-10, 2020**

**Map Features**

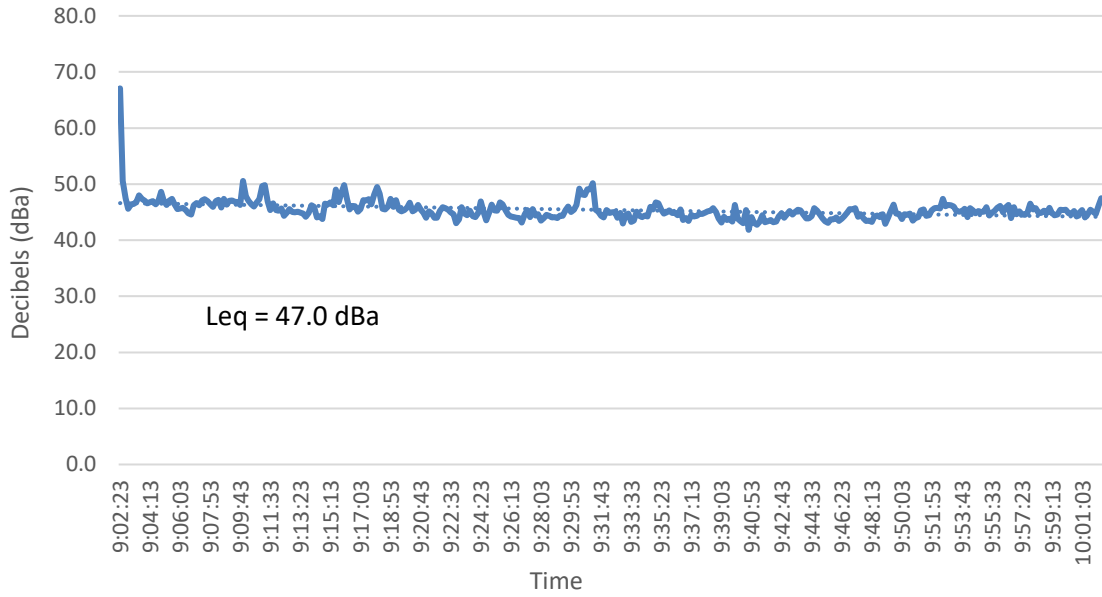
-  Initial Project Footprint
-  Initial Project Footprint 500' Buffer
-  Least Bell's Vireo Nest
-  Least Bell's Vireo Territory
-  Least Bell's Vireo Nest 300' Buffer

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

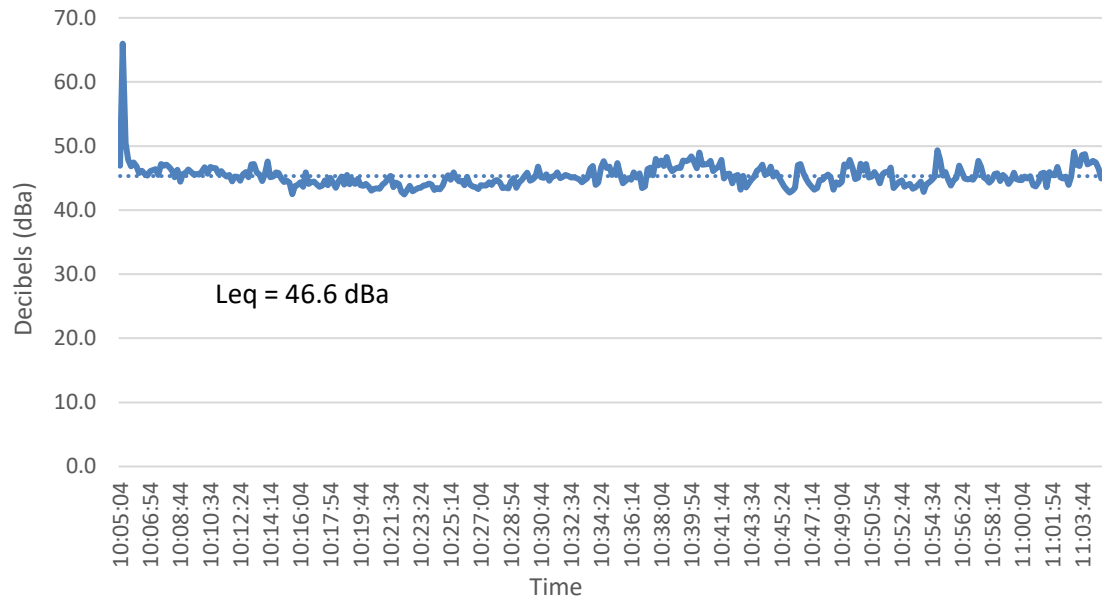




Devil's Gate Reservoir Restoration Project:  
LBVI SM3 Leq July 10, 2020

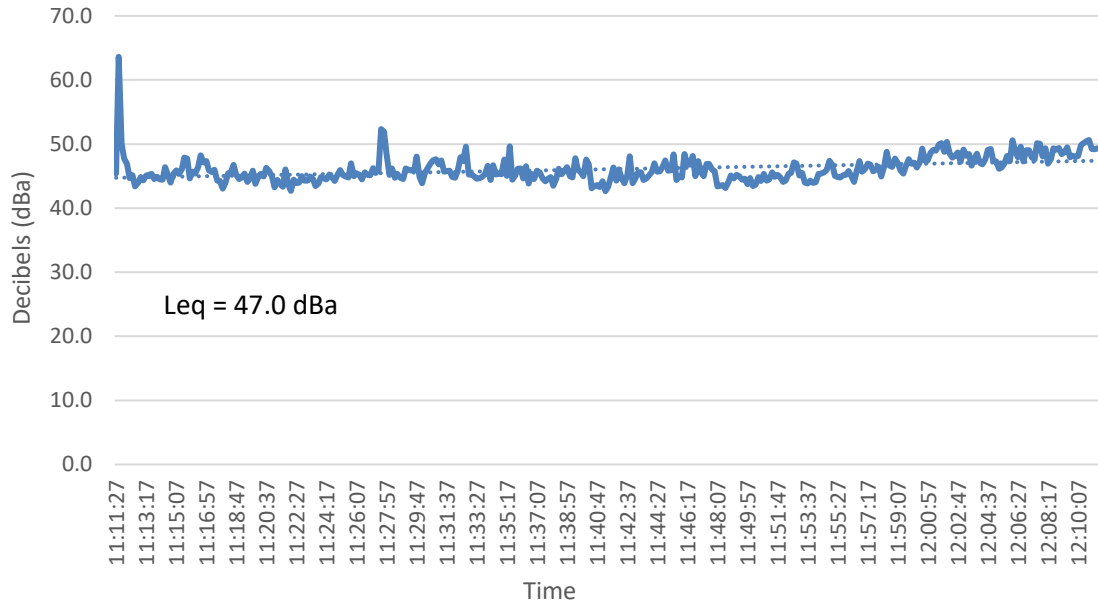


Devil's Gate Reservoir Restoration Project:  
LBVI SM4 Leq July 10, 2020

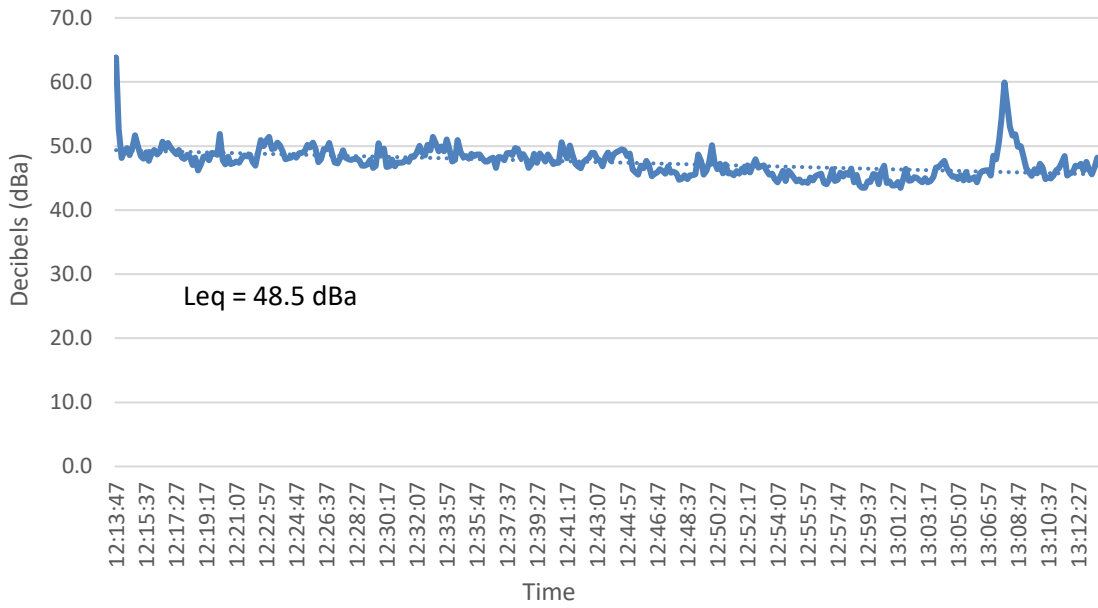




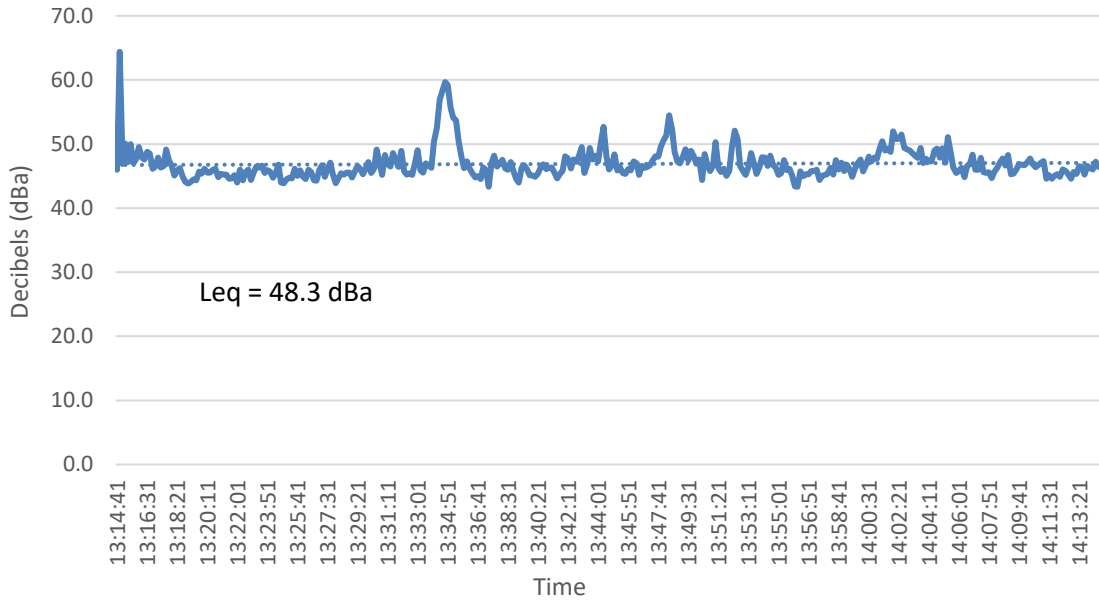
Devil's Gate Reservoir Restoration Project:  
LBVI SM5 Leq July 10, 2020



Devil's Gate Reservoir Restoration Project:  
LBVI SM6 Leq July 10, 2020



Devil's Gate Reservoir Restoration Project:  
LBVI SM7 Leq July 10, 2020



Devil's Gate Reservoir Restoration Project:  
LBVI SM8 Leq July 10, 2020

