

MEMORANDUM

DATE: March 17, 2009

TO: Ivy Edmonds-Hess
Parsons Brinckerhoff

FROM: Steve Granholm, Bird Monitoring Task Leader
LSA Associates, Inc.

FOR: California Department of Transportation

SUBJECT: Bird Monitoring Memo #348, Week of March 2 - 6, 2009
Bay Bridge East Span Project

PURSUANT TO: US Fish and Wildlife Service Biological Opinion and California Department of Fish and Game Incidental Take Permit

Introduction

In order to improve the seismic safety of the San Francisco-Oakland Bay Bridge (SFOBB), the State of California, Department of Transportation (Caltrans) is replacing the existing SFOBB East Span with a new bridge immediately to the north. This is a multi-year effort that will involve a number of construction activities on land as well as in San Francisco Bay. Some of these activities could potentially affect federally and State endangered or threatened bird species and other bird species of special concern.

The U.S. Fish and Wildlife Service (USFWS) Biological Opinion (page 22) and the California Department of Fish and Game (CDFG) Incidental Take Permit (Fully Protected Species Items 1 and 2 on pages 4 and 5) require monitoring of the California least tern and California brown pelican. The CDFG is also concerned about potential impacts to the American peregrine falcon and the double-crested cormorant and required a management plan for these species (Fully Protected Species Item 3 on page 5). In addition, the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project Final Environmental Impact Statement/Statutory Exemption and Final Section 4(f) Evaluation (FEIS) (page 4-130) requires that Caltrans monitor the double-crested cormorant colony and American peregrine falcon during the breeding season and prevent the birds from nesting on the existing bridge where potential impacts by construction activities could occur.

As required by the USFWS Biological Opinion and CDFG Incidental Take Permit, the monitoring efforts are focused primarily on three endangered species: the California least tern, California brown pelican, and American peregrine falcon. The primary objectives are to minimize impacts to these three species and document any take of these species resulting from construction activities. In addition, monitoring is conducted to assess potential impacts to the breeding efforts of American peregrine falcons and double-crested cormorants on the existing SFOBB East Span. The monitoring also assesses potential impacts on breeding activities of western gulls, which are now known to nest on the existing bridge and new Pier E10E. Monitoring was conducted in accordance with the *Revised*

Final Bird Monitoring and Management Plan (Caltrans 2003). This plan incorporated the requirements of the USFWS, the CDFG, and the FEIS, as well as those of the San Francisco Bay Conservation and Development Commission (BCDC) Permit #8-01, Special Condition F-6.

This memo summarizes the SFOBB East Span's construction bird monitoring activities conducted by LSA Associates, Inc. (LSA) and Garcia and Associates (GANDA) during the week of March 2 - 6, 2009.

Bird Monitoring Activities

LSA and GANDA conducted monitoring of the active construction areas from GANDA's boat; GANDA conducted peregrine falcon nest monitoring from the eastern shoreline of Yerba Buena Island; and LSA conducted Canada goose monitoring from the Emeryville Crescent side of the goose exclusion fence along I-80. Construction activities during the bird survey included workers conducting various activities at the Oakland Touchdown Westbound, South-South Detour, and Self-Anchored Suspension construction sites; and crew boat, tug, and barge traffic on the bay. During the peregrine survey on March 5, 2009, crews were working on the South-South Detour and the temporary approach to Pier T1.

The bird survey was conducted from 0930 to 1230 hours on March 5, 2009. Peregrine falcon monitoring was conducted from 1200 to 1400 hours on March 4, 2009 and from 1000 to 1130 hours on March 5, 2009. Canada goose monitoring was conducted from 1000 to 1100 hours on March 7, 2009.

Results

Monitoring of Active Construction Areas

California Least Tern: No least terns were observed.

California Brown Pelican: No brown pelicans were observed.

Peregrine Falcon: No peregrine falcons were observed.

Double-crested Cormorant: Eight double-crested cormorants were seen foraging, flying and/or resting in the study area.

Western Gull: Twenty three western gulls were observed in the study area; most were flying over the bay or resting on shore or on the existing bridge.

Observations of Additional Bird Species: The other bird species observed during the bird survey (and the approximate number of individuals) were Canada goose (7), American wigeon (5), Eurasian wigeon (1), greater scaup (50), surf scoter (48), bufflehead (99), common goldeneye (1), ruddy duck (5), common loon (1), horned grebe (8), eared grebe (1), western grebe (13), Clark's grebe (22), western grebe or Clark's grebe (13), Brandt's cormorant (3), red-tailed hawk (1), mew gull (47), ring-billed gull (1), California gull (45), black oystercatcher (1), black turnstone (10), black phoebe (1), and European starling (50). Six black-crowned night-herons were seen in the cypress tree just north of the study area on Treasure Island, just north of Clipper Cove.

American Peregrine Falcon Nest Monitoring

On March 4, 2009 at 1200 hours, an adult female peregrine falcon was observed perched at Pier E5 on the existing bridge. The falcon was perched on the hand rail of the lowest ladder platform on the south side of the bridge. At 1330 hours, the female vocalized a series of audible 'ee-chup' calls while facing east. Immediately following this display, she flew northeast toward the new bridge and continued flying east along the new bridge until she was out of view. No other observations were recorded during the monitoring period.

On March 5, 2009 at 1000 hours, two adult peregrine falcons were observed perched on the existing bridge at Pier E5. The male was perched on the handrail of the lowest ladder platform on the south side of the bridge, and the female was perched on the crossbeam directly under the lower deck. Both birds remained at these locations until approximately 1100 hours, when they both flew to the east and out of view. No subsequent observations occurred during the monitoring period.

Other Bird Species Observed: The other bird species observed during the peregrine monitoring were double-crested cormorant, pelagic cormorant, and western gull. The number of other bird species observed during the peregrine falcon monitoring is not recorded because this activity would distract the monitor from watching for peregrine falcons.

Canada Goose Monitoring along the I-80 Roadway Adjacent to the Emeryville Crescent

No Canada geese were observed. The goose exclusion fence along I-80 is in satisfactory condition and requires no repairs at this time.

Conclusions

The monitors did not observe any indications that birds were disturbed due to SFOBB East Span construction activities.

cc: Monica Gan, Caltrans