

MEMORANDUM

DATE: August 14, 2008

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 #318, Week of August 4-8, 2008
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 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 the Bay. Some of these activities could potentially affect federally 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 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 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, Special Condition F-6.

This memo summarizes the East Span construction bird monitoring activities conducted by LSA Associates, Inc. (LSA) and Garcia and Associates (GANDA) during the week of August 4 –8, 2008.

Bird Monitoring Activities

LSA and GANDA conducted monitoring of the active construction areas from GANDA's boat. Construction activities during the bird survey included in-water pile driving in the vicinity of Pier T1 and various other construction activities at the Oakland Touchdown Westbound, South-South Detour, and Self-Anchored Suspension construction sites.

The bird survey was conducted from 0927 to 1227 hours on August 6.

Results

Monitoring of Active Construction Areas

California Least Tern: No least terns were observed in the study area, but at 0918 hours (while heading to the bridge from the Emeryville Marina) four were observed foraging approximately 300 meters (984 feet) north of the Marina.

California Brown Pelican: Eight brown pelicans were observed. At 0942 hours, four were foraging about 200 meters (656 feet) south of existing Pier E5. At 1015 hours, two were perched on pilings south of existing pier E2 (one was still present at 1149 hours). At 1042 hours, one was perched on a rock in the Port of Oakland Outer Harbor. At 1045 hours, another one was perched on another rock in the Port of Oakland Outer Harbor. The latter two birds were still perched at 1216 hours.

Peregrine Falcon: No peregrine falcons were observed.

Double-crested Cormorant: Approximately 350 double-crested cormorants were observed in the study area: 50 were foraging, 100 were perched under the existing bridge, 125 were perched on the cable-crossing structure, 25 were perched on the footing of existing Pier E7, and 50 were perched on the footing of existing Pier E8.

Western Gull: Approximately 60 western gulls were observed in the study area. Twenty gulls were foraging and forty were perched under the existing bridge between Piers E3 and E22. Most of the young from nests on the bridge have fledged, but the juvenile on Pier T1 was still present in the nest area.

Other Observations of Birds and Marine Mammals: The other species observed during the bird survey (and the approximate number of individuals) were harbor seal (2), Canada goose (18), surf scoter (1), common loon (1), Clark's grebe (6), Brandt's cormorant (32), great blue heron (1), pigeon guillemot (3), and American crow.

American Peregrine Falcon Nest Monitoring

Peregrine falcon monitoring has been concluded for this year's nesting season as observations to date indicate that the East Span nesting territory is not occupied this season.

Conclusions

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

cc: Monica Gan