

MEMORANDUM

DATE: September 4, 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 #321, Week of August 25-29, 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 25 - 29, 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 workers conducting various activities at the Oakland Touchdown Westbound, South-South Detour and Self-Anchored Suspension (SAS) construction sites and crew boat traffic from the Port of Oakland Outer Harbor to the SAS construction site.

The bird survey was conducted from 0830 to 1130 hours on August 26.

Results

Monitoring of Active Construction Areas

California Least Tern: No least terns were observed in the study area.

California Brown Pelican: Sixteen brown pelicans were observed. At 0853 hours, one was perched on the base of new Pier E6E. At 0900 hours, four were flying north between the Piers T1 and E2. At 0920 hours, one was flying approximately 150 meters (492 feet) north of Pier T1. At 0927 hours, one was flying just south of existing Pier E5. At 0940 hours, one was flying west, approximately 50 meters (164 feet) south of the existing bridge. At 0945 hours, one was flying north of the existing bridge, just west of the Oakland Touchdown. At 1023 hours, two were flying north on the south side of the bridge. One continued on to the north under the bridge and the other circled back south. At 1040 hours, one was perched on the piling just south of new Pier E2. At 1041 hours, one was flying just north of Pier T1. At 1045 hours, two were foraging and one was sitting on the water at the western end of Clipper Cove.

Peregrine Falcon: No peregrine falcons were observed.

Double-crested Cormorant: Approximately 75 double-crested cormorants were observed flying, foraging, and resting in the study area, including some (mostly juveniles) perched on the cable-crossing structure.

Western Gull: Approximately 30 western gulls (including juveniles) were observed flying, foraging, and resting in the study area. Most of the young-of-the-year appear to be independent.

Other Observations of Birds and Marine Mammals: The other species observed during the bird survey (and the approximate number of individuals) were harbor seal (4), surf scoter (4), Clark's grebe (15), western grebe (12), Brandt's cormorant (28), Heermann's gull (2), spotted sandpiper (3), red-necked phalarope (1), and European starling (2).

American Peregrine Falcon Nest Monitoring

Peregrine falcon monitoring has been concluded for this year's nesting season as observations up to this time 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