Nesting Bird Management Plan

Devil's Gate Reservoir Restoration Project

Los Angeles County, California

Prepared for:

Los Angeles County Department of Public Works
Stormwater Engineering Division
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Alhambra, California 91803

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March 2019

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

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LIST OF ACRONYMS AND ABBREVIATIONS

CDFW	California Department of Fish and Wildlife
CFWO	Carlsbad Fish and Wildlife Office
CNDDB	California Natural Diversity Database
CWA	Clean Water Act
dBA	A-weighted decibels
DBs	Designated Biologists
EIR	Environmental Impact Report
ESA	Endangered Species Act
GPS	Global positioning system
ITP	Incidental Take Permit
LACFCD	County of Los Angeles Flood Control District
MBTA	Migratory Bird Treaty Act
NBMP	Nesting Bird Management Plan
Project	Devil's Gate Reservoir Restoration Project
RWQCB	Los Angeles Regional Water Quality Control Board
SAA	Streambed Alteration Agreement
USFWS	U.S. Fish and Wildlife Service

1.0 INTRODUCTION

This Nesting Bird Management Plan (NBMP) has been prepared in accordance with Conditions 2.10, 2.13, 2.45, 2.46, and 4.9 of the California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement (SAA) that was issued for the Devil's Gate Reservoir Restoration Project (Project) on March 21, 2017 (SAA No. 1600-2015-0263-R5).

All native migratory non-game birds, including raptors, and their active nests are protected from "take" by Sections 3503, 3503.5, and 3513 of the California Fish and Game Code and the Migratory Bird Treaty Act (MBTA). "Take" is defined in Section 86 of the California Fish and Game Code as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Section 3513 of California Fish and Game Code states "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any birds, except as otherwise provided by this code or any regulations made pursuant thereto". Section 3503.5 of the California Fish and Game Code states "It is unlawful to take, posses, or destroy any birds in order *Falconiformes* or *Strigiformes* (birds of prey) or to take, possess, or destroy the nest or eggs of any such birds except as otherwise provided by this code or any regulation adopted pursuant thereto."

The purpose of this NBMP is to provide The County of Los Angeles Flood Control District (LACFCD) with the guidance necessary to prevent the take of any nesting birds protected by the California Fish and Game Code and MBTA during Project activities. This NBMP describes survey procedures to identify nesting birds and discusses the necessary non-disturbance buffers to be enforced around active nests during Project activities.

According to Measures 2.13 and 4.9 of the SAA, CDFW must review and approve a NBMP prior to commencing Project activities between February 1 and September 15. The conditions and procedures outlined in this NBMP shall remain in effect for the life of the project and shall cover Project activities until the expiration of the SAA (March 31, 2037), unless it is terminated or extended before then.

1.1 Project Activities

The nesting bird management procedures presented in this plan will be implemented when specific Project activities occur during the nesting bird season (February 1 through September 15) of any given year throughout the life of the Project (including Initial Sediment Removal Activities, Permanent Maintenance Program Activities, and Restoration Activities). The Project activities requiring the implementation of nesting bird management measures include the following as defined by the SAA:

Excavation. The removal of sediment and debris from the Initial Sediment Removal Area and during Routine Annual or Episodic Maintenance using excavators or other heavy equipment to remove large volumes of sediment and debris from designated areas before graders and scrapers conduct final grading.

Ground Disturbing Activities. Activities associated with staging, access, excavation, sediment removal, grading, or disking that disturb surface of soil.

Vegetation Removal. The removal of vegetation from the Project site. Initial vegetation removal occurred between November 2018 to January 2019. Additional vegetation removal at the north end of the Project site will take place in 2022. The Permanent Maintenance Area of the Project site will be maintained to

prevent regrowth and establishment of vegetation. Maintenance of the Episodic Maintenance area may include weed control (e.g. herbicides, hand tools, and mechanically operated hand tools) on an annual basis.

Onsite Habitat Restoration. Activities associated with the habitat restoration of areas within the Habitat Restoration Area that will include minor surface alteration of the land, vegetation management, and application of herbicides.

Hereafter, the term "Project activities" shall collectively refer to any of the above listed actions.

2.0 REQUIREMENTS AND PROTECTION MEASURES

The SAA requires that the LACFCD implement a NBMP if Project activities occur between February 1 and September 15. Other Project permits and guiding documents that outline protective measures for nesting birds include the Incidental Take Permit (ITP) from CDFW (ITP No. 2081-2016-031-05), the Mitigation Measures presented in the Environmental Impact Report (EIR), the Informal Section 7 Consultation (Section 7) No. FWS-LA-14B0081-15I0477 from U.S. Fish and Wildlife Service (USFWS) Carlsbad Fish and Wildlife Office (CFWO), the Clean Water Act (CWA) Section 401 Water Quality Certification and Order (Section 401) No. 7008 1140 0002 8672 0734 from Los Angeles Regional Water Quality Control Board (RWQCB), and the CWA Section 404 Individual Permit (Section 404) No. SPL-2014-00591-BLR from the Army Corps of Engineers, Los Angeles District. These documents, in addition to the SAA, provide guidelines that will be followed prior to and during Project activities to provide adequate protection to nesting birds and federally listed avian species including least Bell's vireo (*Vireo bellii pusillus*) and protected species specified in the SAA: burrowing owl (*Athene cunicularia*), yellow warbler (*Setophaga petechia*), southwestern willow flycatcher (*Empidonax traillii extimus*), yellow breasted chat (*Icteria virens*), and loggerhead shrike (*Lanius ludovicianus*). All permit protection measures from the SAA, ITP, EIR, and Section 7 that are relevant to the management of nesting birds are presented in Appendix A for reference. All procedures outlined in this document are consistent with these measures.

2.1 Designated Biologists

Prior to the start of Project activities, Designated Biologists (DBs) will be identified and their names, qualifications, business address, contact information, and proposed disciplines/species for which they are proposed to provide monitoring will be submitted to CDFW for review and approval. DBs are responsible for conducting pre-construction surveys and monitoring Project activities, have the authority to report noncompliance issues observed within the Project site, and have the ability to recommend reasonable measures to avoid or minimize impacts to fish and wildlife resources. Any removal of vegetation regrowth will be monitored by a DB. Project-related vegetation-disturbing activities, including during sediment removal and maintenance activities, will only occur when a DB is present. Following vegetation disturbing activities, a DB will be present as necessary to maintain implemented protection measures and monitor for sensitive biological resources. For duties related to the surveying for and monitoring of the least Bell's vireo, the DB is required to be a trained ornithologist approved by the CDFW and USFWS with at least 40 hours of supervised experience surveying for and mapping locations of the species.

The DB(s) will have the following responsibilities:

- Report any dead or injured protected species found along roads or in Project areas to CDFW within 48 hours;
- Submit a California Native Species Field Survey Form and survey map to the California Natural Diversity Database (CNDDB) within five working days of sightings of protected species;
- Help minimize and fully mitigate or avoid the incidental take of the least Bell's vireo and to minimize disturbance of least Bell's vireo habitat;
- Be present as necessary to maintain the implemented protection measures and monitor for additional species in harm's way; and
- Be responsible for monitoring at specifically designated locations and conducting other Project activities, including, but not limited to, pre-construction surveys.

3.0 NESTING BIRD MANAGMENT

The protection measures presented in the various permits for the Project provide different date ranges to designate the start and end of nesting bird season and least Bell's vireo breeding season. For the purposes of this NBMP, the most conservative ranges have been used to define the nesting bird season (February 1 to September 15) and the least Bell's vireo breeding season (March 1 to September 15). To avoid Project-related impacts to migratory bird/raptor nests and protected bird species within or adjacent to the Project area, management techniques and survey protocols have been identified and are described below.

3.1 Preconstruction Surveys

3.1.1 Nesting Birds

If Project activities occur during the nesting bird season, a DB will conduct preconstruction nesting bird surveys within 500 feet of the Project site. Surveys will begin no more than 30 days prior to the start of Project activities and will continue weekly with the last survey occurring no more than 48 hours before the initiation of Project activities. Preconstruction surveys will be repeated annually using the aforementioned methods for the duration of Project activities that occur during the nesting bird season.

Preconstruction nesting bird surveys will be conducted by DBs who will walk through the Project site and any potential nesting habitat within 500 feet of Project activities and search and listen for active bird nests and/or birds exhibiting nesting activity (i.e., carrying nesting material, behaving territorially, carrying food items). Any inaccessible areas will be surveyed using binoculars. Survey areas will include all vegetated areas as well as any stationary equipment or structures located within 500 feet of Project activities.

If an active nest is found within 500 feet of the Project site, the species and location will be documented. The DB will determine the nesting status (e.g., incubating, feeding chicks) with a brief observation period (15 to 30 minutes) at a distance away from the nest (to avoid undue stress on the nest). The DB will set up an appropriate no-work buffer based on the species and bird's behavior (see Section 3.2 below).

Documentation of each nest will be recorded in a digital Nest Log to efficiently update nest status and track nest progress (see Section 4.1.3 Nest Log and Appendix B for a Nest Log example). A global positioning system (GPS) point will be recorded at the observation location from which to view the nest without disturbing the birds. In addition, a detailed description of the habitat surrounding the immediate nest location (e.g., the species of shrub or tree in which the nest is located and the specific quadrant of the shrub or tree where the nest is located) and surrounding habitat in the larger vicinity will be recorded. A compass reading will also be recorded to direct any future observer to easily locate and view the nest from the GPS point observation location. The Nest Log will not include any occurrences of nests of least Bell's vireo; these will be documented by least Bell's vireo DB in a separate log specifically for least Bell's vireo observations (See Section 4.1.4 Least Bell's Vireo Observation Log). If DBs conducting nesting bird surveys observe or detect a least Bell's vireo, they will (1) record their location and any other relevant information, and then (2) relay the information to a least Bell's vireo DB who will follow-up with a least Bell's vireo survey (See Section 3.1.2 Least Bell's Vireo).

Documentation of preconstruction nesting bird surveys and findings will be prepared in a written report to be retained by LACFCD (see Section 4.0). If no nesting activities are observed, Project activities may begin.

3.1.2 Least Bell's Vireo

Preconstruction Least Bell's Vireo Surveys

If Project activities occur within 500 feet of least Bell's vireo habitat during the least Bell's vireo breeding season, preconstruction focused surveys for least Bell's vireo will be conducted by a least Bell's vireo DB. These preconstruction least Bell's vireo surveys will be conducted independently of the preconstruction nesting bird surveys described in Section 3.1.1. Preconstruction focused least Bell's vireo surveys will begin 30 days prior to the start of Project activities. The surveys will continue weekly with three surveys occurring during the week prior to the initiation of Project activities, and the final survey occurring within 24 hours prior to the start of Project activities. Each survey will be conducted on a separate day and will follow the methods in USFWS' 2001 Least Bell's Vireo Survey Guidelines, which require the surveys be conducted between dawn and 11:00 a.m. when weather conditions are favorable. If the USFWS replaces the 2001 protocol at a later date with a more updated version of the survey protocol, the most up-to-date protocol recommended or accepted by USFWS will be used for preconstruction least Bell's vireo surveys.

During the focused least Bell's vireo surveys, occurrences of least Bell's vireo individuals, active nests, and territories within 500 feet of anticipated Project activities will be mapped and documented in a digital Least Bell's Vireo Observation Log (see Section 4.1.4 Least Bell's Vireo Observation Log and Appendix C for Least Bell's Vireo Observation Log example), The Least Bell's Vireo Observation Log is similar to the Nest Log but will only include observation/detection locations, territories, and nests of least Bell's vireo. If a least Bell's vireo individual or an active least Bell's vireo nest is detected, the least Bell's vireo DB will determine the nesting status with a brief observation period at a distance away from the least Bell's vireo. A 300-foot no-work buffer will be established around active least Bell's vireo nest locations. Buffers will remain in place until the young have fledged and/or the nest is no longer active. No-work buffer establishment and nest monitoring methods and frequency are described in more detail in Sections 3.2

and 3.3, respectively, below. If no least Bell's vireos are detected within 500 feet of the Project site, Project activities may begin. Documentation of surveys and findings will be summarized in a written report to be retained by LACFCD (see Section 4.0).

Breeding Season Least Bell's Vireo Surveys

If Project activities within 500 feet of least Bell's vireo habitat are ongoing during the least Bell's vireo breeding season, twice-weekly focused surveys for least Bell's vireo will be conducted by a least Bell's vireo DB simultaneous with the duration of Project activities occurring during the breeding season. Survey methods for the twice-weekly survey will be the same as the methods described for preconstruction least Bell's vireo surveys above. Documentation of least Bell's vireo individuals, active nests, and territories will also be the same as what is described for the preconstruction least Bell's vireo surveys above. No-work buffer establishment and nest monitoring methods and frequency are described in more detail in Sections 3.2 and 3.3, respectively.

3.2 No-Work Buffers

Appropriately-sized no-work buffers will be established around all active nests identified within and adjacent to the Project site. The DB will determine the appropriate buffer size and level of nest monitoring necessary for species not listed under the federal Endangered Species Act (ESA) or the California ESA based on: the species' life history, the species' sensitivity to disturbances (e.g., noise, vibration, human activity), individual behavior, status of nest, location of nest and site conditions, presence of screening vegetation, anticipated Project activities, ambient noise levels compared to Project-related noise levels, existing non-Project-related disturbances in vicinity, and ambient levels of human activity. All buffers for non-ESA/California ESA-listed species will be no less than 30 feet, no more than 300 feet for passerine species, and no more than 500 feet for raptor species. No-work buffers for least Bell's vireo nests will always be set at 300 feet.

Buffers will be marked (flagged or fenced with Environmentally Sensitive Area fencing) around the active nest site as directed by the DB and LACFCD and in accordance with safety requirements. Periodic monitoring of active nests will occur to ensure the Project does not result in the failure of the nest (monitoring methods are discussed in more detail in Section 3.3). No Project activities or personnel will be allowed inside these buffers, except for the DB (if necessary). In the event that a no-work buffer has been established around a least Bell's vireo nest, only a least Bell's vireo DB will be allowed inside the buffer, All Project personnel will be informed of any no-work buffers affecting the Project. The buffer(s) will be maintained around each nest until the nest becomes inactive as determined by the DB (see Section 3.5.1 for nest deactivation and buffer removal). Buffers around least Bell's vireo(s) will be maintained until the least Bell's vireo DB determines the nest is inactive (either success or failure) and the CFWO agrees that the buffer can be removed and that work may proceed (see Section 3.3.4).

At the discretion of a DB, if a nesting bird appears to be stressed as a result of Project activities and the buffer does not appear to provide adequate protection, additional minimization measures may need to be implemented. These additional measures may include monitoring of Project-related noise levels, coordinating with LACFCD to adjust Project activities and schedule, and/or installation of sound walls or visual barriers. The sound walls/visual barriers may consist of constructing temporary walls with k-rails and

plywood, straw bales, screens, or even construction equipment/vehicles. If necessary, coordination with CDFW (or USFWS for least Bell's vireo) may occur for concurrence with avoidance and minimization measures or to determine a further course of action to avoid impacts to nesting birds.

Construction will be allowed to continue outside of the no-work buffers. The DB will ensure that restricted activities occur outside of the delineated buffers, check nesting birds for any potential indications of stress, and ensure that installed fencing or flagging is maintained at buffer boundaries during nest monitoring and any additional site visits. Buffer sizes may be reduced (with the exception of those for least Bell's vireo), or the extent of nest monitoring may be reduced, at the discretion of the DB. Any changes to buffer sizes and/or nest monitoring frequency will be documented in the appropriate log (Nest Log and/or Least Bell's Vireo Observation Log described in Section 4.0 below).

3.3 Monitoring

3.3.1 General Biological Monitoring

A DB will serve as a biological monitor during Project activities as necessary to maintain the implementation of protection measures and monitor for species in harm's way as required per the Project permits. The DB is required to supervise any removal of vegetation regrowth after initial vegetation removal. DBs present as general biological monitors will not be conducting nesting bird surveys while monitoring but will document any nesting bird activity observed.

During the nesting bird season, the DB(s) will be onsite daily to conduct compliance inspections and monitor Project activities when Protected Species (as defined by the SAA) may be present.

The DB is responsible for notifying LACFCD and CDFW if any Project activity observed while monitoring is out of compliance with the Project's permits and environmental documents as they pertain to nesting birds.

3.3.2 Nest Monitoring

Once an active nest has been identified within 500 feet of the Project site, nest monitoring will occur as necessary to update the status of nests and confirm active status without affecting nesting birds, as determined by the DB. During each nest monitoring visit, the DB will monitor the nest from a distance if possible. If the nest status cannot be determined from a distance, the DB will first ensure that no nest predators (e.g., common raven [*Corvus corax*], American crow [*Corvus brachyrhynchos*], California scrub jay [*Aphelocoma californica*], brown-headed cowbird [*Molothrus ater*]) are visibly present in the nest area before approaching the nest to avoid leading predators to the nest location. If no predators are observed, the DB will slowly approach the nest while watching the behavior of the adult(s) tending to the nest and will retreat if the individuals appear overly agitated or stressed. The DB will keep the nest visit as brief as possible to avoid causing undue stress to the adult(s) or young. If potential predators are present, the nest will not be approached and the status will be updated at another time. The DB will document the following during each nest visit:

- Nest status (e.g., nest building, incubating, feeding nestlings, fledglings);

- The number of eggs or young in the nest (if possible);
- The presence of brown-headed cowbird eggs or young in the nest (if documented, CDFW will be notified so that instruction on egg or young removal may be conducted if necessary); and
- The potential for Project activities to affect the behavior of young or adults in the nest area.

These nest monitoring measures will minimize the likelihood that active nests are abandoned or fail due to Project activities. The updated nest status, date of nest monitoring, and notes taken during the nest monitoring will be added to and maintained in the Nest Log after each nest monitoring visit. If least Bell's vireo is observed nesting on the Project site, the nest monitoring methods described above will be implemented by the least Bell's vireo DB (see Section 3.3.3).

3.3.3 Least Bell's Vireo Monitoring

A least Bell's vireo DB will be onsite daily during Project activities when least Bell's vireo are present. If a least Bell's vireo is observed on the Project site, the least Bell's vireo DB will make a determination if the individual(s) are nesting or exhibiting nesting behavior or are migrating through the site. The boundaries of any observed least Bell's vireo territories will be mapped on a digital aerial map of the Project site and updated by the least Bell's vireo DB regularly as observations occur. The least Bell's vireo DB will discern if observations are of least Bell's vireo breeding pairs, individuals, family groups, and/or juveniles in the Least Bell's Vireo Observation Log.

In the case of observations of individual least Bell's vireo migrating through the Project site, the least Bell's vireo DB will be onsite starting on the date of the initial observation and will remain onsite daily during Project activities until seven calendar days have passed since the last observation of the individual. The least Bell's vireo DB will monitor the status of any least Bell's vireo nests identified on the Project site using the same methods as described in Section 3.3.2. The status of nesting least Bell's vireos will be updated in the Least Bell's Vireo Observation Log.

When onsite the least Bell's vireo DB(s) will also monitor Project activities to help minimize or avoid incidental take of individual least Bell's vireo and to minimize disturbance of least Bell's vireo habitat. The DB will also conduct compliance inspections to

1) prevent unlawful take of species;

2) check for compliance with all protection and mitigation measures of the Project;

3) check all exclusion zones (habitat protected by environmentally sensitive area fencing); and

4) ensure that signs, stakes, and fencing are intact, and that Project are only occurring in the delineated Project area.

Oversight activities, compliance inspections, and observations of least Bell's vireo, survey results, and monitoring Project activities will be documented by the least Bell's vireo DB(s).

3.3.4 Noise Restrictions and Monitoring

Construction noise levels will remain below 60 A-weighted decibels (dBA) Leq hourly at 100 feet from areas determined by the least Bell's vireo DB to be occupied by least Bell's vireo. If least Bell's vireo are present, noise levels will be monitored at specified monitoring locations, no less than 100 feet from active least Bell's vireo nest(s) as determined by the least Bell's vireo DB. Noise monitoring will be conducted weekly and must demonstrate that noise levels are less than 60 dBA Leq hourly.

3.3.5 Inactive Nests and Buffer Removal

General Nesting Birds

Nests will be considered inactive once nesting activity is no longer observed at the nest site during two consecutive monitoring visits by the DB conducted on separate days. If strong evidence (e.g., nest is on ground and evidence of predation on young) indicates the nest is no longer active, two consecutive monitoring visits may not be necessary. At their discretion, the DB will identify a nest as inactive based on the nest's past progress and status, in combination with the determination of at least one of the following:

- nest failure (e.g., due to predation or other disturbance);
- the young have fledged and left the nest area;
- the young are no longer being fed by the parents; and/or
- the young will no longer be affected by the Project (e.g., due to completion of work activities or establishing a new work area away from the nest location)

Once a DB has deemed a nest inactive the no-work buffer will be removed and crews will be informed that work may resume in the area. Unless the nest became inactive as a result of the Project, CDFW will not need to concur with the nest inactivity determination prior to work resuming in the area. In the Nest Log, the DB will document the date and reason the nest was deemed inactive and the date the buffer was removed. This procedure will be repeated until all nests within and adjacent to the Project site have been deemed inactive for the season.

Least Bell's Vireo

Least Bell's vireo nests and territories will be deactivated by the least Bell's vireo DB using the same methods as those described above for nesting birds. However, no-work buffers surrounding least Bell's vireo nests and territories will not be removed until the following occur:

1. The nest is determined either a success (young have fledged and have left the nest area) or a failure (non-Project related) by the least Bell's vireo DB, and no additional signs of nesting or fledgling use of the nest area are observed for a minimum of two consecutive visits spaced at least five calendar days apart.

2. USFWS CFWO agrees work may proceed (Conservation Measure 11 of Informal Section 7 Consultation and Section 404 Permit).

3.4 Bird Exclusionary Devices

The purpose of bird exclusionary devices is to attempt to discourage birds from nesting within established boundaries of the Project. The use of bird exclusionary or deterrent devices (e.g., mylar flagging) is not anticipated to be necessary for the duration of the Project. Should bird exclusionary or deterrent devices be determined to be necessary at any point during the life of the Project, the devices will be approved by CDFW prior to implementation, employed and implemented prior to February 1, and maintained through September 15 based on consultation with the DB in accordance with Condition 2.13 of the SAA. Bird exclusion netting will not be used on the underside of bridges, unless agreed to in writing (email, letter, and/or fax) by CDFW.

4.0 REPORTING

4.1.1 Preconstruction Survey Results

General Nesting Birds

The results of preconstruction surveys for nesting birds prior to the start of Project activities occurring during nesting bird season will be summarized in a survey report to be retained by LACFCD. The preconstruction nesting bird survey report shall include the following:

- Descriptions and locations of active nests identified during the surveys (including locations depicted on figures);
- Descriptions and locations of no-work buffers and other avoidance measures;
- Copies of the Nest Log; and
- Representative photographs

Least Bell's Vireo

The results of preconstruction surveys for least Bell's vireo prior to the start of Project activities occurring between during the least Bell's vireo breeding season will be summarized in a survey report to be retained by LACFCD. The preconstruction least Bell's vireo survey report shall include the following:

- Descriptions of territories and/or nest sites;
- Copies of the Least Bell's Vireo Observation Log(s);
- Descriptions and locations of no-work buffers and other avoidance measures;
- Copies of the DB's field notes;
- Figures identifying least Bell's vireo individual observations, mapped territories, and/or nest sites within 500 feet of the Project; and
- Representative photographs

Least Bell's Vireo Breeding Season Surveys

Each week that least Bell's vireo(s) are detected during the least Bell's vireo breeding season, weekly survey reports will be submitted electronically to the CFWO per Condition CM11b of the Section 7 Consultation. The reports will summarize the results of the least Bell's vireo surveys and will include the same components as are included in the preconstruction least Bell's vireo survey reports.

4.1.2 CNDDB Reporting

Observations of any special-status species, including least Bell's vireo, will be submitted to the CNDDB within 60 working days of the observation. Submissions to the CNDDB will include the California Native Species Field Survey Form, in either the online or PDF, and a survey map.

4.1.3 Nest Log

The DB will maintain a Nest Log that documents active nests found within and adjacent to the Project area during each nesting season (Appendix B). Specifically, the DB(s) will document the date the nest was first identified, the status of the nest (i.e., nest building, incubation, nestlings present/feeding nestlings, fledglings present/fledged), location, immediate nest location description, dates of subsequent nest checks, and updates on nesting status. The Nest Log will be updated after each day of nest monitoring.

Each nest will be assigned its own unique name, based on its species code and numerical order it was found during each nesting bird season (e.g., the first Anna's hummingbird (*Calypte anna*) nest detected during the season will be called "ANHU-1"). Nest numbering will restart at the end of each nesting bird season (e.g., the last red-tailed hawk nest from the previous nesting season would be RTHA-3, and the first red-tailed hawk nest documented during the next season would be RTHA-1). In the case that a nest is found before the start of the nesting bird season (e.g., raptor or hummingbird nesting as early as December or January) that nest would be documented in the upcoming season's Nest Log.

The Nest Log will be compiled and submitted to LACFCD weekly. This log will act as a record of all surveys and nest monitoring conducted and the timeline for each nest detected within and adjacent to the Project area. A compilation of this log will be submitted electronically to CDFW monthly during the nesting season.

4.1.4 Least Bell's Vireo Observation Log

Detections, territories, and nests of least Bell's vireo will be summarized in a digital Least Bell's Vireo Observation Log, which will be updated for each day of focused vireo surveys and monitoring. The Least Bell's Vireo Observation Log will be similar to the Nest Log described above but will only include information on occurrences of least Bell's vireo and will only be updated by least Bell's vireo DBs (Appendix C). Weekly reports (described above) will be submitted electronically to CDFW and the CFWO during each week that least Bell's vireo are detected.

4.1.5 Additional Reporting

Updates to the list of DB(s) will be submitted to CDFW for review and approval, and updates to the list of least Bell's vireo DB(s) will be submitted to USFWS for review and approval. Change(s) to this NBMP will be documented in writing and approved by CDFW.

LIST OF APPENDICES

APPENDIX A

Permit Protection Measures

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
Protection Measures for Nesting Birds		
SAA	2.13 Nesting Bird Avoidance and Impact Minimization. The LACFCD shall not take or destroy nests (or eggs) of birds that are designated under Federal and California State laws, MBTA and FGC Section 3503, 3503.5, 3505, 3513. The LACFCD in consultation with Designated Biologist shall employ bird exclusionary devices prior to February 1st and maintain through September 15th. If Excavation, on-site habitat restoration, or other ground disturbing activities must occur from February 1st through September 15th, the Designated Biologist shall begin bird nesting surveys 30 days prior to the direct or indirect disturbance of Suitable Nesting Habitat and continue the surveys on a weekly basis, with the last survey being conducted no more than three (3) days prior to the proposed ground disturbance. If Excavation, on-site habitat restoration, or other ground disturbing activities must occur from February 1st to September 15th LACFCD shall implement a Nesting Bird Management Plan (see condition 4.9) to facilitate avoidance and minimization of impacts to nesting birds. The Nesting Bird Management Plan shall be submitted to CDFW for review and comment no less than 30 days before the start of Excavation, on-site habitat restoration, or other ground disturbing activities within the breeding season.	Nesting birds
EIR	MM Bio – 4: LACFCD, in consultation with a qualified biologist, will employ bird exclusionary measures (e.g., mylar flagging) prior to the start of bird breeding season to prevent birds nesting within established boundaries of the project. Prior to commencement of sediment removal activities within bird breeding season (March 1-August 31), a preconstruction bird nesting survey shall be conducted by a qualified biologist for the presence of any nesting bird within 300 feet of the construction work area. The surveys shall be conducted 30 days prior to the disturbance of suitable nesting habitat by a qualified biologist with experience in conducting nesting bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. Preconstruction surveys shall be repeated annually for the duration of the sediment removal. If an active nest is found, the qualified biologist will develop and implement appropriate protection measures for that nest. These protection measures shall include, as appropriate, construction of exclusionary devices (e.g., netting) or avoidance buffers. The biologist shall have the discretion to adjust the buffer area as appropriate based on the proposed construction activity, the bird species involved, and the status of the nest and nesting activity; but shall be no less than 30 feet. Work in the buffer area can resume once the nest is determined to be inactive by the monitoring biologist.	Nesting birds
SAA	4.9 Nesting Bird Management Plan. If necessary, the LACFCD shall submit a Nesting Bird Management Plan to CDFW for Project activities that may occur between February 1st through September 15th as described in Conditions 2.12, 2.13, and 2.46. The plan shall include survey results and establish the necessary buffers to avoid take of nests defined in FGC Sections 3503 and 3503.5. The Nesting Bird	Nesting birds

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
	Management Plan shall be submitted to CDFW prior to any work between February 15th through September 15th.	
Section 401	• LACFCD, in consultation with a qualified biologist, will employ bird exclusionary measures (e.g., mylar flagging) prior to the start of bird breeding season to prevent birds from nesting within established boundaries of the project. • Prior to commencement of sediment removal activities within bird breeding season (March 1 through August 31), a preconstruction bird nesting survey shall be conducted by a qualified biologist for the presence of any nesting bird within 300 feet of construction work area. The surveys shall be conducted 30 days prior to the disturbance of suitable nesting habitat by a qualified biologist with experience in conducting nesting bird surveys. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. Preconstruction surveys shall be repeated annually for the duration of the sediment removal. • If an active nest is found, the qualified biologist will develop and implement appropriate protection measures for that nest. These protection measures shall include, as appropriate, construction of exclusionary devices (e.g., netting) or avoidance buffers. The biologist shall have the discretion to adjust the buffer area as appropriate based on the proposed construction activity, the bird species involved, and the status of the nest and nesting activity; but it shall be no less than 30 feet. Work in the buffer area can resume once the nest is determined to be inactive by the monitoring biologist.	Nesting birds
SAA	2.46 Nesting Birds – Routine Annual and Episodic Maintenance a. To avoid impacts to nesting birds, no vegetation management shall occur during February 1st through September 15th, the "restricted work period." Other Routine Annual and Episodic Maintenance authorized activities should not take place within areas regulated by [the SAA] within the "restricted work period." b. If avoidance of the restricted work period is not feasible, vegetation management and other authorized activities may occur between February 1st through September 15th if a Designated Biologist, approved by CDFW pursuant to Condition 1.8, conducts focused surveys for active nests within seven (7) days of the proposed activity, the final survey no more than 48 hours prior to work in the area. The study area shall extend into Suitable Habitat adjacent to construction limits. c. The results of the survey shall be retained by the LACFCD prior to any project activities in the form of a written report and shall include the following information: i) dates of survey; ii) total field time of survey efforts; iii) map of survey routes, names of investigators; and iv) location of any active nests that were found. d. If the survey identifies an active nest, a buffer shall be established between the construction activities and the active nest so that nesting activities are not interrupted. The buffer shall be	Nesting birds, burrowing owl, yellow warbler, southwestern willow flycatcher, least Bell's vireo, yellow-breasted chat, loggerhead shrike

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
	delineated by temporary fencing if site conditions allow and does not create additional disturbance and shall be in effect throughout construction or until the nest is no longer active. e. The buffer shall be a minimum of 300 feet (500 feet for raptors) of a non-CESA/ESA listed nesting migratory bird nest. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors. f. Absent a 300/500 foot no impact buffer, the LACFCD shall prepare and submit to CDFW a Nesting Bird Management Plan that includes survey results and establishes the necessary buffers to avoid take of nests as defined in FGC 3503 and 3503.5, see Condition 4.9. g. The Nesting Bird Management Plan design shall be based upon site conditions, project activities, and species present or likely to be present during all construction activities. The buffer(s) shall be determined based upon the life history of the individual species, species sensitivity to noise, vibration and general disturbance, current site conditions (screening vegetation, terrain, etc.), ambient levels of human activity, the various project-related activities necessary to construct the project, and other features. h. LACFCD, or any person acting on behalf of LACFCD, is not relieved from complying with FGC sections 3503 (bird nests and eggs) and 3503.5 (birds of prey).	
Least Bell's Vireo Protection Measures		
ITP	6.1 Update Surveys for Covered Species. The LACFCD shall have a Designated Biologist survey the proposed work area using CDFW approved protocols to verify the presence and absence of the Covered Species within the previous 12-month period before Initial Sediment Removal. The results of these surveys shall be provided to CDFW, along with copies of all field notes, within 30 days of completion, and prior to the notification in Condition 6.2.	Least Bell's Vireo
ITP	7.1 Covered Species Injury. If a Covered Species is injured as a result of Project-related activities, the Designated Biologist shall immediately take it to a CDFW approved wildlife rehabilitation or veterinary facility. LACFCD shall identify the facility before starting Covered Activities. LACFCD shall bear any costs associated with the care or treatment of such injured Covered Species. The LACFCD shall notify CDFW of the injury to the Covered Species immediately by telephone and e-mail followed by a written incident report as described in Condition 6.11. Nonfiction shall include the name of the facility where the animal was taken.	Least Bell's vireo
ITP	7.3 Covered Activities During Breeding Season within 500 feet of Suitable Covered Species Habitat. If Covered Activities are proposed during the nesting season within 500 feet of suitable Covered Species habitat, the LACFCD shall ensure the following measures are implemented:	Least Bell's vireo

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
	7.3.1. The LACFCD shall not conduct initial vegetation clearing during the breeding season. Subsequent removal of regrowth may occur under supervision by the Designated Biologist pursuant to subsequent survey conditions; 7.3.2. 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. This condition applies to the initiation of new work. If work has been initiated prior to the breeding season see Condition 7.3.4; 7.3.3. The Designated Biologist(s) shall document and map all occurrences, active nests, and territories; 7.3.4. The Designated Biologist(s) shall continue weekly focused surveys within 500 feet of Covered Activities in Covered Species habitat during the breeding season to determine the presence of Covered Species; 7.3.5. If a Covered Species is observed within 500 feet of anticipated activities, the Designated Biologist shall monitor in order to determine an appropriate buffer, and then establish 300 feet buffer upon observation of nest building, completed nest(s), egg laying, incubation, hatchlings, fledglings, or attempted territory establishment activities around the nest until the young have fledged and no additional signs of nesting are observed; 7.3.6. The Project Area shall be identified to all workers, as represented in plans. Vegetation shall not be removed or intentionally damaged beyond the designated Permanent and Temporary Impact areas; 7.3.7. The Designated Biologist(s) shall ensure disturbance and removal of vegetation does not exceed the limits approved by CDFW.	
Section 7 and Section 404	CM 11. Sediment removal activities, including the initial reconfiguration of the basin and annual maintenance, will be scheduled between September 1 to March 14 (outside the vireo breeding and nesting season) to the extent possible; however, if sediment removal is conducted between March 15 and August 31 (during the vireo breeding and nesting season) the following additional measures will be implemented: a. Nest buffer: 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. If nesting vireos are detected, nest monitoring will be initiated, and work will be postponed within 300 feet of the nesting pair(s) until the nest is determined either a success or failure by the biological monitor and the USFWS Carlsbad Fish and Wildlife Office (CFWO) agrees that work may proceed.	Least Bell's vireo

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
	b. 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.	
ITP	7.4.3 Preconstruction Surveys. No more than 7 days before initiating Routine Maintenance activities between March 1 through September 15, the Designated Biologist shall perform a pre-maintenance survey for Covered Species. The Designated Biologist(s) shall survey all suitable habitat, if present, within access routes, areas of proposed Routine Maintenance, and adjacent areas within 500 feet, as access allows. The Designated Biologist(s) shall remain on-site during Covered Activities if pre-maintenance surveys indicated presence of Covered Species and ensure buffer distance in Condition 7.35 is implemented for all Covered Activities. The Designated Biologist shall alert biological and maintenance staff to Covered Species presence and establish appropriate protocols to limit their work. The Designated Biologist(s) shall submit a report documenting the results of pre-maintenance surveys to CDFW within 30 days of performing them. Annual Status Reports shall be provided to CDFW as described in the reporting section (see Condition 6.8)	Least Bell's vireo
ITP	7.4.4 Routine Maintenance Buffers. LACFCD shall implement a 300-foot buffer from active Covered Species nests.	Least Bell's vireo
Protected Species Measures		
SAA	2.10 Protected Species Avoidance and Minimization Measures. a. Protected Species Plan. …The Permittee shall have the Designated Biologist on site daily when protected species may be present to ensure that no impacts occur to protected species that are not authorized. <u>List of Protected Species:</u> Slender-horned spineflower (*Dodecahema leptoceras*) Two-striped garter snake (*Thamnophis hammondii*) Coast range newt (*Taricha torosa torosa*) Western pond turtle (*Actinemys marmorata*) Burrowing owl (*Athene cunicularia*) Yellow warbler (*Dendroica petechia*)	All protected species

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
	Pallid bat (*Antrozous pallidus*) Western mastiff bat (*Eumops perotis californicus*) Western yellow bat (*Lasiurus xanthinus*) Coast patch-nosed snake (*Salvadora hexalepis*) Southwestern willow flycatcher (*Empidonax traillii extimus*) Least Bell's vireo (*Vireo bellii pusillus*) Yellow breasted chat (*Icteria virens*) Loggerhead shrike (*Lanius ludovicianus*) b. Dead or Injured Protected Species. Any dead or injured protected species found along roads or in project areas shall be reported to CDFW within 48 hours. The biologist shall report the location, cause of death, species found, and any other relevant information. c. [shown above under Seasonal Vegetation Removal Restrictions] d. Notification to the California Natural Diversity Database. If any Protected Species are observed in project surveys, the Designated Biologist shall have responsibility to submit a California Native Species Field Survey Form and survey map to be submitted to the Natural Diversity Database within 5 working days of the sightings. The form is available online at http://www.dfg.ca.gov/bioqeodata/cnddb/. Instructions for completing and submitting the form are available at http://www.dfg.ca.gov/biogeodata/cnddb/submitting data to CNDDB asap.	
Section 7 & Section 404	CM 7. Under the supervision of the biological monitor, all riparian vegetation adjacent to the outer limits of disturbance (figure 1 during Project Construction and Figure 2 during Annual Maintenance) will be delineated by bright orange plastic fencing, stakes, flags, or markers that are clearing visible to personnel on foot and in heavy equipment. No vegetation removal, grading, or deposition of waste/dirt/rubble will occur in riparian vegetation outside of the outer limits of disturbance.	Least Bell's vireo
ITP	6.6 Compliance Monitoring. The Designated Biologist shall be on site daily when Covered Activities occur and when Covered Species are present, and weekly when Covered Species have potential to be present. The Designated Biologist shall conduct compliance inspections to (1) minimize incidental take of the Covered Species; (2) prevent unlawful take of species; (3) check for compliance with all measures of this ITP; (4) check all exclusion zones; and (5) ensure that signs, takes, and fencing area intact, and that Covered Activities are only occurring in the Project Area. The Designated Representative or Designated Biologist shall prepare written observation and inspection records summarizing: oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by this ITP.	Least Bell's vireo
EIR	MM BIO – 1: A qualified biological monitor shall be present during initial ground- or vegetation-disturbing project-related activities to provide measures and monitor for wildlife in harm's way. This includes initial	All Protected biological resources

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
	ground- or vegetation-disturbing project-related activities at the annual start of each year of sediment removal or maintenance activities. Following initial project-related activities, a qualified monitoring biologist shall be present as necessary to maintain the implemented protection measures and monitor for additional species in harm's way. These protection measures shall include, as appropriate: redirecting wildlife, identifying areas that may require exclusionary devices (e.g., fencing), or capturing and relocating wildlife outside the work area. Any captured species shall be relocated to adjacent appropriate habitat that is contiguous to adjacent habitat and not impacted by project-related disturbance activities.	
Section 7 and Section 404	CM 10. If construction occurs between September 1 to March 14 (outside of the vireo breeding and nesting season), a designated construction monitor will conduct twice weekly inspections of the project site and will have the authority to halt/suspend all activities that do not adhere to the construction-related Conservation Measures (6 to 8). The construction monitor will report impacts to vegetation beyond the outer limits of disturbance (Figure 1 during Project Construction, and Figure 2 during Annual Maintenance) immediately to the CFWO and will provide, on a monthly basis to the CFWO, a brief summary (including photos) of project activities completed.	Least Bell's vireo
Seasonal Vegetation Removal Restrictions		
SAA amendment	2.1 Work Period. Initial Vegetation Removal work within the Initial Sediment Removal Area shall be confined to the period starting September 15 to February 1, in the year(s) of 2018 to 2020, unless otherwise requested by LACFCD and approved by CDFW in writing. Excavation shall be confined to April 15 to December 31 Monday through Friday from 0700 to 1800 hours Standard Time (1900 hours during Daylight Savings Time), and on Saturday between 0800 to 1700 hours during Standard and Daylight Savings Time.	Nesting birds, burrowing owl, yellow warbler, southwestern willow flycatcher, least Bell's vireo, yellow-breasted chat, loggerhead shrike
SAA	2.10 c. Seasonal and Other Restrictions. The Permittee shall not conduct any vegetation removal or ground disturbance within 1000 linear feet of least Bell's vireo or southwestern willow flycatcher habitat (see Exhibit C, LBVI suitable habitat) from March 1 through September 15 until consultation under Condition 2.9 above, is complete, and any take authorization is issued pursuant to FGC Section 2080 et. seq. Permittee may conduct project activities, unless	All protected species
SAA	2.12 Initial Vegetation Removal Seasonal Restrictions. The LACFCD shall not conduct Initial Vegetation Removal within areas regulated by this Agreement from February 1st to September 15th to avoid impacts to bird nesting season. LACFCD may conduct ground disturbing activities including Excavation and on-site habitat restoration between February 1st to September 15th.	Nesting birds, burrowing owl, yellow warbler, southwestern willow flycatcher, least Bell's vireo, yellow-breasted chat, loggerhead shrike
ITP	7.2 Vegetation Clearing. The LACFCD and Designated Biologist(s) shall ensure that Vegetation Removal (initial, routine, and episodic) in Covered Species suitable habitat are conducted outside of the Cover Species breeding season (March 1 to September 15). One week prior to vegetation removal outside the Covered Species breeding season, a	Least Bell's vireo

Permit Protection Measures		
Document	**Measure**	**Protected Resources Covered**
	minimum of three (3) surveys shall be conducted on separate days with last survey completed no more than one (1) day prior to proposed vegetation removal. Surveys shall be conducted to determine Covered Species status within 300 feet of Project Area. If Covered Species observations result in no observations of nest building, completed nest(s), egg laying, incubation, hatchlings, fledglings, or attempted territory establishment activities, then work may commence.	
Section 7 and Section 404	CM 9. All activities involving the removal of riparian vegetation will occur outside of the vireo breeding and nesting season (March 15 to August 31). Once cleared, the site will be maintained to prevent vegetation re-growth and assure that nests are not initiated within the construction footprint.	Least Bell's vireo

APPENDIX B

Nest Log Example

EXAMPLE

Devil's Gate Reservoir Restoration Project

Nest Log 2019

DISCLAIMER: *This document was created as an example for documenting nest observations. Information found in this document is not based on actual observations at Devil's Gate Reservoir. Information in this example document was manufactured to demonstrate how this log is to be used.*

Nest ID	Species	Date Discovered	Location (Lat/Long)	Location Description	Nest Status	Nest Stage	Date of Nest Update	Observation Details	No-work Buffer (ft)	Buffer Removal Date	Additional Notes
ANHU-1	*Anna's Hummingbird*	*3/15/2019*	*XX.XXXXX˚E -XXX,XXXXX˚ N*	*20 feet up in alder tree on east side of creek. at base of branch and trunk*	*Active*	*incubation*	*n/a*	*Observed 1 female ANHU on nest in incubation posture. 1 male ANHU vocalizing in vicinity.*	*300*	*n/a*	*Pair did not seem agitated by biologist's presence*
							3/22/2018	*Observed female on nest in incubation posture.*	*300*	*n/a*	
LEGO-1	*Lesser Goldfinch*	*3/15/2019*	*XX.XXXXX˚E -XXX,XXXXX˚ N*	*8 feet off ground in mulefat shrub along perimeter trail*	*Active*	*nest building*	*n/a*	*Observed 1 female LEGO make 2 trips to nest location while carrying nesting lining material. 1 male LEGO accompanied the female on both occasions.*	*300*	*n/a*	*Potential for non-project related impacts associated with recreational use of trail*
						incubation	*3/22/2018*	*Observed 1 female LEGO on nest in incubation posture.*	*300*	*n/a*	
					Inactive	*predated*	*4/2/2018*	*Observed reminants of nest in shrub. Appeared to be pulled apart. Feathers and pieces of eggs shells observed on the ground.*	*n/a*	*4/2/2019*	

Nest ID	Species	Date Discovered	Location (Lat/Long)	Location Description	Nest Status	Nest Stage	Date of Nest Update	Observation Details	No-work Buffer (ft)	Buffer Removal Date	Additional Notes
RTHA-1	*Red-tailed Hawk*	*3/22/2019*	*XX.XXXXX˚ E -XXX,XXXXX˚ N*	*300 feet off the ground in a telephone tower. At southwestern corner.*	*Active*	*feeding chicks*	*n/a*	*Observed 1 adult RTHA carry prey item to nest location where at least 1 chick was visible.*	*500*	*n/a*	*Adult was agitated by biologist's presence.*
							4/2/2018	*Observed fledglings flying in the vincity of the nest. 1 adult perched on tower within 20 feet of nest location. 1 fledgling perched between the adult and nest location.*	*500*	*n/a*	*Nest update was made from outside the nest buffer using binoculars to avoid agitation.*
						Fledglings present	*4/17/2018*	*No activity at nest. No RTHA observed in the immediate vicinity of the nest. 1 RTHA juvenile was observed soaring 100 feet outside the buffer towards the southwest. The RTHA did not approach the nest.*	*500*	*n/a*	
					Inactive	*Fledged*	*5/1/2019*	*No activity at nest and no juveniles present.*	*n/a*	*5/1/2019*	
CLSW-1	*Cliff Swallow*	*3/15/2019*	*XX.XXXXX˚ E -XXX,XXXXX˚ N*	*100 feet up on southwest section of dam*	*Active*	*nest building*	*n/a*	*Observed 1 CLSW carry mud to nest location and proceed to construct nest*	*300*	*n/a*	
ANHU-2	*Anna's Hummingbird*	*5/30/2019*	*XX.XXXXX˚ E -XXX,XXXXX˚ N*	*3 feet up in a mulefat shrub adjacent to trail, on east side*	*Active*	*incubation*		*Female ANHU flushed from nest when biologist passed by on trail. After inspection of the shrub 2 eggs were observed in the nest. The biologist quickly left the area. The female returned to the nest within several minutes.*	*50*	*n/a*	*The Anna's hummingbirds began nest building under the current construction activities and are likely acclimated to the existing conditions.*

APPENDIX C

Least Bell's Vireo Observation Log Example

EXAMPLE

Devil's Gate Reservoir Restoration Project

Least Bell's Vireo Observation Log 2019

DISCLAIMER: *This document was created as an example for documenting least Bell's vireo observations. Information found in this document is not based on actual observations at Devil's Gate Reservoir. Information in this example document was manufactured to demonstrate how this log is to be used.*

LBVI ID	Observation Date	Observation Type†	Location (Lat/Long)	Location Description	Nest Observed? If Yes, Indicate Stage	Date of Update	Observation Details	No-Work Buffer Est.?	Buffer Removal Date	Additional Notes (Including Potential Impacts)
LBVI-1	*4/24/2019*	*Individual, male*	*XX.XXXXX ˚ E -XXX,XXXXX˚ N*	*In riparian habitat within restoration area approx. 400 feet west of work area.*	*No*	*N/A*	*Observed and heard 1 LBVI male singing from various perches 400 feet outside Project area. No additional LBVI were detected.*	*No*	*n/a*	
		N/A	*XX.XXXXX ˚ E -XXX,XXXXX˚ N*	*N/A*	*No*	*4/29/2019*	*no LBVI observed or heard in the area.*	*No*	*n/a*	
		Individual, male	*XX.XXXXX ˚ E -XXX,XXXXX˚ N*	*In riparian habitat within restoration area approx. 200 feet west of work area.*	*No*	*5/2/2019*	*1 LBVI male vocalizing while perched in mulefat thicket.*	*No*	*n/a*	
		Pair	*XX.XXXXX ˚ E -XXX,XXXXX˚ N*	*5 feet off the ground in a black willow tree (tallest in immediate area).*	*Yes, Nest Building*	*5/7/2019*	*1 LBVI male singing from various perches. 1 female LBVI observed carrying nesting material to a location in a black willow tree.*	*Yes, 300 ft*	*n/a*	*Nest location is more than 500 feet from active work areas, no anticipated project-related impacts.*
LBVI-2	*8/16/2019*	*Individual, male*	*XX.XXXXX ˚ E -XXX,XXXXX˚ N*	*In riparian habitat adjacent to frisbee golf course.*	*No*	*N/A*	*Male observed foraging and occassionally singing, no territorial behavior observed. Monitored individual for 20 minutes, no indication of mate or nest nearby.*	*No*	*n/a*	*Likely migrating individual. No anticipated project-related impacts.*

† adult individual (indicate sex), pair, juvenile, family group (indicate number of adults and juveniles observed)