

February 5, 2018

Nadia Parker
Environmental Planning and Assessment
Los Angeles Department of Water and Power
111 N. Hope Street, Room 1044
Los Angeles, CA 90012

SUBJECT: NESTING BIRD SURVEY, SILVER LAKE RESERVOIR COMPLEX, CITY OF LOS ANGELES, CALIFORNIA.

Dear Ms. Parker,

This report provides the findings of a nesting bird survey conducted by AECOM in the Silver Lake Reservoir Complex (SLRC) on February 5, 2018. The purpose of the survey was to determine if bird nesting activities are occurring in and around ten (10) trees that will be trimmed along the western perimeter of the complex, adjacent to West Silver Lake Drive and two (2) that will be removed near the north west corner of the complex at West Silver Lake Drive and Tesla to provide a walking path within a portion of the SLRC. This survey was conducted to ensure that tree trimming and removal proposed for February 6, 2018 is conducted in compliance with the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF) Section 3503, which protect breeding migratory and non-migratory bird species from take, harassment, or other disturbance during the bird breeding season, generally falling between February 15 and September 1. The survey was also conducted to determine if great blue heron (*Ardea herodias*) had returned for the season to nest in tall eucalyptus trees that have historically served as a heron rookery. These eucalyptus trees are in close proximity to the trees that will be trimmed and removed for installation of the walking path. An evaluation was also made regarding the potential for use of the new walking path within the SLRC to impact nesting birds, or herons returning to the SLRC.

The project includes the removal of one volunteer pine tree (*Pinus* sp.) in order to install a ramp leading into the SLRC from the adjacent sidewalk outside the SLRC, and the removal of one blue gum (*Eucalyptus globulus*) and trimming of ten eucalyptus (*Eucalyptus* spp.) trees and one deodar cedar (*Cedrus deodara*) occurring along the proposed alignment of the walking path, to ensure the safety of individuals utilizing the new pathway inside the SLRC.

METHODS

The nesting bird survey was conducted by AECOM biologist Art Popp between 1000-1230. Weather conditions included clear skies, with temperatures ranging from 69 to 72 degrees Fahrenheit, with winds 0-4 miles per hour. Mr. Popp surveyed the 12 subject trees and those occurring within about 200 feet for the presence of nesting birds. The biologist remained alert for indications of bird nesting or breeding behaviors, such as carrying nesting material, building or repairing a nest, territorial chasing, or copulation. The survey

consisted of scanning the trees from varying vantage points for a period of two hours with binoculars, as well as walking meandering transects throughout the general project area remaining alert for active nests or nesting behaviors. After two hours of focusing on the presence of nesting birds in the subject and surrounding trees, the survey shifted to focus on determining if herons were present in the SLRC, or would arrive from off-site to visit the nests while the biologist was present.

RESULTS AND DISCUSSION

The area of SLRC where the walking path will enter, run within the SLRC for a few hundred feet, and exit back onto the sidewalk along West Silver Lake Drive, is flanked to the west by single-family homes and single lane residential streets which experience steady local car and foot traffic throughout the day. Normal urban disturbances from foot, car, and occasional local truck traffic occurs, including horns, back-up indicators, sirens, landscaping equipment, etc. Foot traffic along West Silver Lake Drive is consistent, as it is a popular place for individuals to walk, often with dogs.

Common urban bird species were detected in and around the subject trees during the survey. The species observed included, American crow (*Corvus brachyrhynchos*), house sparrow (*Passer domesticus*), song sparrow (*Melospiza melodia*), mourning dove (*Zenaida macroura*), black phoebe (*Sayornis nigricans*), lesser goldfinch (*Spinus psaltria*), and Anna's hummingbird (*Calypte anna*). Birds were primarily observed roosting, actively foraging, and moving between branches and adjacent trees. Some scolding and brief chases between birds were observed; however, it was determined during the course of the survey that no nesting activities or active nests were present in trees proposed for removal and trimming. A lesser goldfinch was observed carrying a stick into the bottom of a heron's nest in a eucalyptus tree that occurs within close proximity of the subject trees, likely providing a nest for itself within the currently-unused heron nest. Since the tree that this nest occurs in will not be removed or trimmed, impacts to what appears may become a lesser goldfinch nest are not anticipated.

No herons were observed during the survey. By 1230, the sun had risen to shine directly into the heron nests occurring in the SLRC. From past observations, herons often sat in the nest and were undetectable until the sun had risen higher in the morning sky, at which point they would stand. With no herons visible in the nests by 1230, and no herons arriving from off-site, it appears herons are currently not present at the SLRC.

Based on past bird survey and monitoring activities at the SLRC by AECOM biologists, it is not anticipated that use of the new walking path proposed to run through a portion of the SLRC would impact nesting birds or herons, should they return to utilize nests in the SLRC rookery. The path will be aligned within 30-40 feet of where foot traffic currently occurs around the outside of the SLRC. With normal urban disturbances and noises consistently occurring in the area, any nesting birds will be accustomed to people walking nearby. As a result, impacts during use of the walking path and conflicts with provisions of the MBTA or CFGC are not anticipated. Additionally, no species listed under the federal and/or state Endangered Species Acts were detected during the survey.

Should tree removal and trimming not occur within three days of this survey, it is recommended that a follow up survey is conducted prior to these activities to determine the status of nesting birds in the project area.

If you have any questions, comments, or require additional information please contact Art Popp at (714) 567-2756 or Arthur.Popp@aecom.com.

Sincerely,

A handwritten signature in black ink that reads "Arthur Popp". The signature is written in a cursive style with a large initial "A" and "P".

Art Popp
Senior Biologist

CERTIFICATION: I hereby certify that the statements furnished above present data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.