



Memorandum

Date June 25, 2002

To Debra Jones, Project Manager

From Brook Vinnedge and William Widdowson, Wildlife Biologists

Subject **Special Status Wildlife (Burrowing Owl) Survey Report for the BART Warm Springs Extension, Fremont, CA, June 10, 2002**

Summary

On June 10, 2002, Jones & Stokes biologists William Widdowson and Brook Vinnedge conducted surveys for the Western Burrowing Owl (*Athene cunicularia*) in the BART Warm Springs Extension (WSX) project. Three active Burrowing Owl nests were located in ruderal grassland habitat on the parcel proposed for the Warm Springs Station Parking Lot (Figure 1). The Burrowing Owl is a California State species of special concern and avoidance to reduce impacts to a less-than-significant level must be included in a project or the California Environmental Quality Act (CEQA) lead agency must make and justify findings of overriding considerations.

Methods

The biologists conducted a nesting season survey for Burrowing Owls on June 10, 2002 in the WSX project area. The areas surveyed included ruderal annual grassland and bare ground within the project corridor. The biologists began the surveys at the Fremont BART Station and traveled south along the project corridor. All suitable habitat within the corridor was surveyed for burrows and sign of owls. According to the *Staff Report on Burrowing Owl Mitigation* (California Department of Fish and Game 1995) suitable habitat consists of annual and perennial grasslands, deserts, and arid scrublands characterized by low-growing vegetation or bare ground. Overgrown vegetation is not considered suitable habitat because it decreases the Burrowing Owl's ability to monitor burrows from a distance. Similarly, owls are less likely to nest in areas with trees or shrubs, which provide perches for predatory birds. Canopy cover must be less than 30% of the ground surface. Natural and artificial burrows are the essential component of suitable habitat. Burrowing Owls typically use burrows created by ground dwelling mammals but will also readily use human-made structures such as culverts or debris piles.

Survey of the area began at 10:20 a.m., concluding at 13:16 p.m. Pacific Daylight Time (PDT). Weather conditions were the following: 5% cloud cover; temperature range 78 to 81 degrees Fahrenheit; wind 1 (Beaufort Scale); no precipitation. Unless noted otherwise, biologists

surveyed suitable habitat by walking transects at a distance of approximately 50 feet apart. Ground squirrel or small mammal burrows were thoroughly checked for sign of owls, including tracks, feathers, pellets and whitewash. When an active burrow was found, surveyors were careful to minimize disturbance to the owls by maintaining a distance of 250-feet from the nest. Results of the survey are summarized from north to south.

Results

The non-native annual grassland between Stevenson Boulevard and Walnut Avenue did not contain any burrows suitable for Burrowing Owl. The Fremont Central Park area consists of ball fields and recreational facilities, which do not currently contain burrows. The Irvington Pump Station Parcel (approximately 30 acres of non-native annual grassland) was overgrown and did not contain any ground squirrel activity or burrows. Ground squirrel burrows were located in a ruderal field north of Paseo Padre Parkway and east of the project corridor. These burrows were thoroughly checked for sign of owl activity. No sign of owl was observed at any of the burrows at this location.

The field south of Paseo Padre Parkway and west of the project alignment was surveyed from the road using high-powered binoculars. Because of the vantage point it was possible to survey the entire field from Paseo Padre Parkway. The field was overgrown with vegetation and did not have any sign of ground squirrel activity or burrows.

The proposed Irvington Station parking lot on Osgood Road did contain a few ground squirrel burrows, however none are currently being used by Burrowing Owl. This field also contains trees, which decreases the site's suitability for Burrowing Owl.

The proposed Warm Springs Station parking lot was the only site that contained active Burrowing Owl nests within the project area. This site consists of a mowed, non-native annual grassland, which contains a facility for model airplane flying. Within this parcel are three active Burrowing Owl nests.

Burrowing Owl Nest #1 is located approximately 300 feet west of Warm Springs Boulevard and 700 feet south of Grimmer Road. This nest consists of multiple burrows. Two adult owls were observed leaving the burrow and perching on nearby fences.

Burrowing Owl Nest # 2 is located approximately 400 feet west of Warm Springs Boulevard and 750 feet south of Grimmer Road. This nest is approximately 100 feet west of Burrowing Owl Nest #1. No owls were observed at this burrow, however the burrow entrances were covered in white wash, owl pellets and feathers. In addition, Jones & Stokes botanists Rob Preston and Brad Schafer observed owls at this burrow while conducting surveys for rare plants.

Burrowing Owl Nest # 3 is located approximately 200 feet west of Warm Springs Boulevard and 1600 feet south of Grimmer Road. This nest consists of multiple burrows and one owl was perched on an elevated mound adjacent to a burrow entrance.

Conclusion

The results of the breeding-season survey conducted on June 10, 2002 will be valid only for the 2002 season. If constructed, the proposed Warm Springs parking lot site would result in impacts on Western Burrowing Owls. California Department of Fish and Game (CDFG) would be consulted for establishment of mitigation measures that would reduce these impacts to a less-than-significant level. Minimization of impacts on Burrowing Owls during the nesting season shall follow the mitigation guidelines outlined in the *Staff Report on Burrowing Owl Mitigation* (California Department of Fish and Game 1995).

Mitigation measures negotiated with CDFG generally include permanently protecting 6.5 acres of foraging and nesting Burrowing Owl habitat onsite or offsite for every nest impacted. Protection of alternative habitat is conducted through land acquisition or participation in a land bank or land tract purchase. Additionally, the construction of two artificial burrows may be required for each occupied burrow lost or rendered unsuitable as a result of construction activities. BART would consult with CDFG for appropriate compensation and mitigation for habitat removed.

References

California Department of Fish of Game. 1995. *Staff Report on Burrowing Owl Mitigation*.



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Source: Jones & Stokes 2002.

Figure 1
Location of Active Burrowing Owl
Nests in the BART Warm Springs
Extension Project Area
 March 2003