

## Guidance for time of year restrictions on colonial water birds and wading birds

### Abatement Plan

Because time of year restrictions likely cannot be avoided and the project area is within areas known to be occupied by nesting shorebirds, we recommend that a bird abatement plan be developed in coordination with the Service and the LDWF. The abatement plan should include a monitoring plan including pre-construction and construction monitoring, anticipated abatement procedures, a report outline of daily monitoring and abatement activities, and include a post-construction report.

### Brown pelican

*(For use when only pelicans are present; for all nesting shorebird species, see “Colonial Nesting Waterbirds” further below in this document)*

The proposed project may affect nesting habitat for the brown pelican (*Pelecanus occidentalis*), which was officially removed from the List of Endangered and Threatened Species on December 17, 2009. Brown pelicans nest in Louisiana from April 1 through September 15. Nesting periods vary considerably among Louisiana’s brown pelican colonies, so it is possible that this breeding window could be altered based upon the dynamics of the individual colony. The Louisiana Department of Wildlife and Fisheries’ Coastal and Nongame Resources Division (225/765-2811) should be contacted to obtain the most current information about the nesting chronology of individual brown pelican colonies.

Brown pelicans are known to nest on barrier islands and other coastal islands in St. Bernard, Plaquemines, Jefferson, Lafourche, and Terrebonne Parishes. Current nesting locations include Raccoon Point on Isles Dernieres, Queen Bess Island, Plover Island (Baptiste Collette), Wine Island, Rabbit Island in Calcasieu Lake (Cameron Parish), and islands in the Chandeleur chain. Pelicans change nesting sites as habitat changes occur; thus, they may also be found nesting on mud lumps at the mouth of South Pass (Mississippi River Delta) and on small islands in St. Bernard Parish. In spring and summer, nests are built in mangrove trees or other shrubby vegetation, although ground nesting may also occur. Brown pelicans feed along the Louisiana coast in shallow estuarine waters, using sand spits and offshore sand bars as rest and roost areas. Major threats to this species include chemical pollutants, colony site erosion, disease, and human disturbance.

Although the brown pelican has been removed from the List of Endangered and Threatened Species, brown pelicans and their nests continue to be protected under the MBTA. To minimize disturbance to nesting colonies of brown pelicans, all activity occurring within 2,000 feet of a rookery should be restricted to the non-nesting period for colonial nesting birds (i.e., September 15 through March 31).

### Colonial nesting water birds

*(use for coastal projects; includes pelicans, coastal wading birds, gulls, terns, and skimmers)*

In accordance with the Migratory Bird Treaty Act of 1918 (as amended) and Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), please be advised that the project area is located in habitats which are commonly inhabited by colonial nesting waterbirds and/or seabirds.

Colonies may be present that are not currently listed in the database maintained by the Louisiana Department of Wildlife and Fisheries (LDWF). That database is updated primarily by (1) monitoring previously known colony sites and (2) augmenting point-to-point surveys with flyovers of adjacent suitable habitat. Although several comprehensive coast-wide surveys have been recently conducted to determine the location of newly-established nesting colonies, we recommend that a qualified biologist inspect the proposed work site for the presence of undocumented nesting colonies during the nesting season because some waterbird colonies may change locations year-to-year. To minimize disturbance to colonial nesting birds, the following conservation measures should be considered:

1. For colonies containing nesting brown pelicans, all activity occurring within 2,000 feet of a rookery should be restricted to the non-nesting period (i.e., September 15 through March 31). Nesting periods vary considerably among Louisiana's brown pelican colonies, however, so it is possible that this activity window could be altered based upon the dynamics of the individual colony. Brown pelicans are known to nest on barrier islands and other coastal islands in St. Bernard, Plaquemines, Jefferson, Lafourche, and Terrebonne Parishes, and on Rabbit Island in lower Calcasieu Lake, in Cameron Parish.
2. For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, and roseate spoonbills), anhingas, and/or cormorants, all activity occurring within 1,000 feet of a rookery should be restricted to the non-nesting period (i.e., September 1 through February 15, exact dates may vary within this window depending on species present).
3. For colonies containing nesting gulls, terns, and/or black skimmers, all activity occurring within 650 feet of a rookery should be restricted to the non-nesting period (i.e., September 16 through April 1, exact dates may vary within this window depending on species present).

In addition, we recommend that on-site contract personnel including project-designated inspectors be trained to identify colonial nesting birds and their nests, and avoid affecting them during the breeding season (i.e., the time period outside the activity window). Should on-site contractors and inspectors observe potential nesting activity, coordination with the LDWF and the Service should occur.

### Colonial nesting wading birds

*(for inland wading birds only)*

In accordance with the Migratory Bird Treaty Act of 1918 (as amended) and Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), please be advised that the project area is located in habitats which are commonly inhabited by colonial nesting waterbirds and/or seabirds.

Colonies may be present that are not currently listed in the database maintained by the Louisiana Department of Wildlife and Fisheries. That database is updated primarily by (1) monitoring previously known colony sites and (2) augmenting point-to-point surveys with flyovers of adjacent suitable habitat. Although several comprehensive coast-wide surveys have been recently conducted to determine the location of newly-established nesting colonies, we recommend that a qualified biologist inspect the proposed work site for the presence of undocumented nesting colonies during the nesting season because some waterbird colonies may change locations year-to-year.

For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, and roseate spoonbills), anhingas, and/or cormorants, all activity occurring within 1,000 feet of a rookery should be restricted to the non-nesting period, depending on the species present. Below is the list of colonial nesting birds that may be found and the corresponding activity window during which the project may occur without affecting nesting wading bird colonies. Please note no part of the project should occur outside those windows.

| <b>Species</b>   | <b>Project Activity Window/Non-Nesting Period</b> |
|------------------|---|
| Anhinga          | July 1 to March 1                                 |
| Cormorant        | July 1 to March 1                                 |
| Great Blue Heron | August 1 to February 15                           |
| Great Egret      | August 1 to February 15                           |
| Snowy Egret      | August 1 to March 1                               |

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| <b>Species</b>             | <b>Project Activity Window/Non-Nesting Period</b> |
|----------------------------|---|
| Little Blue Heron          | August 1 to March 1                               |
| Tricolored Heron           | August 1 to March 1                               |
| Reddish Egret              | August 1 to March 1                               |
| Cattle Egret               | September 1 to April 1                            |
| Green Heron                | September 1 to March 15                           |
| Black-crowned Night-Heron  | September 1 to March 1                            |
| Yellow-crowned Night-Heron | September 1 to March 15                           |
| Ibis                       | September 1 to April 1                            |
| Roseate Spoonbill          | August 1 to April 1                               |