

**Migratory Bird Survey**  
**Hunting Bayou Offline Detention Basin Tract**  
**HCFCO Project ID H500-01-00-E001**

**Prepared for:**  
Harris County Flood Control District

**Prepared by:**  
TCB Inc.  
5757 Woodway Drive, Suite 101 West  
Houston, Texas 77057-1599

**TCB Project No. 60045893**  
**June 2008**

  
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**Patricia A. Matthews, P.E.**  
**Project Director**

**RECEIVED**

**JUL 18 2008**

**HCFCO**  
**ENVIRONMENTAL SERVICES**

## 1.0 Introduction

In response to Harris County Flood Control District's request, TCB INC. (TCB) performed a survey for birds and nest sites protected by the Migratory Bird Treaty Act (MBTA) within an area of the Hunting Bayou offline detention basin tract (HCFCD Project ID H500-01-00-E001). The MBTA (16 USC 703), originally passed in 1918, states that it is illegal to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid Federal Permit. The term "take" is not defined in the MBTA, but under the provisions of the MBTA, the unauthorized take of migratory birds is a strict liability criminal offense that does not require knowledge or specific intent on the part of the offender. As such, even when engaged in an otherwise legal activity where the intent is not to kill or injure migratory birds, violations can occur if bird and/or nest death, damage, or injury results.

From a biological perspective, a migratory bird is a bird that has a seasonal and somewhat predictable pattern of movement. Birds protected under the MBTA include all native birds in the United States, except those non-migratory species such as quail and turkey that are managed by individual states. A list of birds protected by the MBTA is included in *Appendix A*.

The survey was performed along the proposed clear paths provided by HCFCD. The areas were walked on June 16 and 18, 2008. One nest was observed on June 16 and four nests were observed on June 18 (*Exhibit 2*).

## 2.0 Methodology

The clear path areas were walked by two field personnel. The clear path areas were the main focus of the investigation; a fixed transect was not followed during the investigation. Three bird survey methods were generally used during the field investigations: area search, nest search, and spot-mapping.

Area search methodology allows surveyors to survey areas on foot without following a fixed transect to locate and identify birds. Birds were located by sight and/or sound. The surveyors proceeded at a pace that allowed them to detect and identify all or almost all birds encountered. Observers recorded the species of birds and nest site locations.

Similar to area search methodology, nest search or census plot is a surveying method in which intensive effort is given to locate and identify nest sites without following a fixed transect. The majority of the search efforts concentrated on this type of search methodology. Surveyors searched for the presence of nests in trees, shrubs, and on the ground. To assist in developing recommendations for clearing, nests were observed to determine nest stage (eggs, fledgling, inactive, etc). The majority of the nests were located 20-25 feet off the ground with dense vegetation surrounding the nest tree. In most cases a nest mirror was ineffective. Instead of using a mirror, the nest was observed for activity and examined for its integrity. Observers recorded the date, location, time at which the coverage begins and ends, and estimate the distance covered.

Spot-mapping is the plotting of data gathered from survey methods and analyzing the results. Spot-mapping is based on the territorial behavior of birds. Typically, multiple visits with records of the location of birds and nests within the breeding season allows surveyors to estimate the number of territories, and therefore, occurrence of birds, as well as estimate the density of birds within the area. Due to the limited time available for review of the tract, this methodology was only used on a limited basis.

June 2008

### 3.0 Results

Five nests were observed within the Hunting Bayou offline detention basin tract. Two of the five nests were located within the clear path areas (*Exhibit 2*). Photographs of typical vegetation and nest sites are presented on *Exhibits 3 – 4*. Nests 1-3 were located outside the clear path areas. Nest 1 was located south of the proposed detention basin. Nest 1 was observed on June 16, 2008 at 2:10 p.m. This nest appeared to be inactive. The nest did not appear maintained and no bird activity was observed in the area. Nest 2 was located near the top of a loblolly pine (*Pinus taeda*); it was observed on June 18, 2008 at 7:45 a.m. The nest appeared to be newly constructed with twigs, pine needles, and a man-made cotton type of material. Due to the height of the nest, a nest mirror was not used to identify the bird species. Nest 2 appeared to be constructed by a Blue Jay (*Cyanocitta cristata*). Nest 3 was located in the southeast portion of the proposed detention basin. Newborn birds were observed in Nest 3. The nest was located in a group of Alabama supplejack vines (*Berchemia scandens*). The nest was observed on June 18, 2008 at 8:15 a.m. Baby Northern Mockingbirds (*Mimus polyglottos*) were observed in Nest 3. The two nests (Nests 4 and 5) located within the proposed clear path areas appeared to be active nests. The nests were located near the tops of trees and appeared well maintained. Due to the height of the nests and the overhead vegetation, it was not feasible to view into the nests with a nest mirror. No birds were observed tending the nests while the surveyors observed the nests. Both nests were observed on June 18, 2008 at approximately 10:00 a.m. Due to the height of the nest, a nest mirror was not used to identify the bird species.

During the field investigations numerous birds were observed visually and audibly. The bird species observed included: Northern Mockingbird, Northern Cardinal (*Cardinalis cardinalis*), Downy Woodpecker (*Picoides pubescens*), American Robin (*Turdus migratorius*), Brown-head cowbird (*Molothrus ater*), Mourning Dove (*Zenaida macroura*) and Blue Jay. The majority of these birds were observed along the eastern portion of the proposed basin near the edge of the wooded area. Roost areas, cavities, or rookeries were not observed during the site visits.

### 4.0 Recommendations

TCB recommends that all nest sites be avoided during clearing for the geotechnical surveys. TCB recommends placing a 10-foot buffer around each nest site to ensure that the nests are avoided during the clearing activities. If needed, Nest Site 1 could be disturbed since it is inactive. If a previously unidentified nest site is discovered during removal of vegetation, avoid the nest and contact a biologist to investigate the nest for bird activity. TCB recommends clearing the remainder of the offline detention basin tract during the non-breeding season (October – February). If the tract is cleared during the non-breeding season, the clearing activity would be in compliance with the MBTA and eliminate the need for a nest survey. Avoiding identified nests during clearing activities or clearing outside the bird breeding season would be in compliance with the MBTA.

On June 20, 2008, an email was sent to HCFCD along with a map and electronic files. The email stated that five nests were identified and that only two were located within the proposed clear path areas. In the email TCB recommended that all nests should be avoided in order to comply with the MBTA. The map and electronic files provided the location of the identified nests and the proposed clear path area.

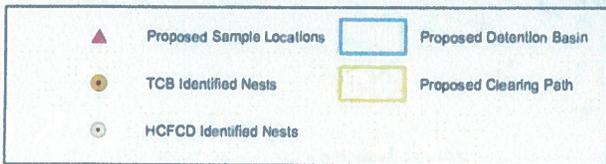
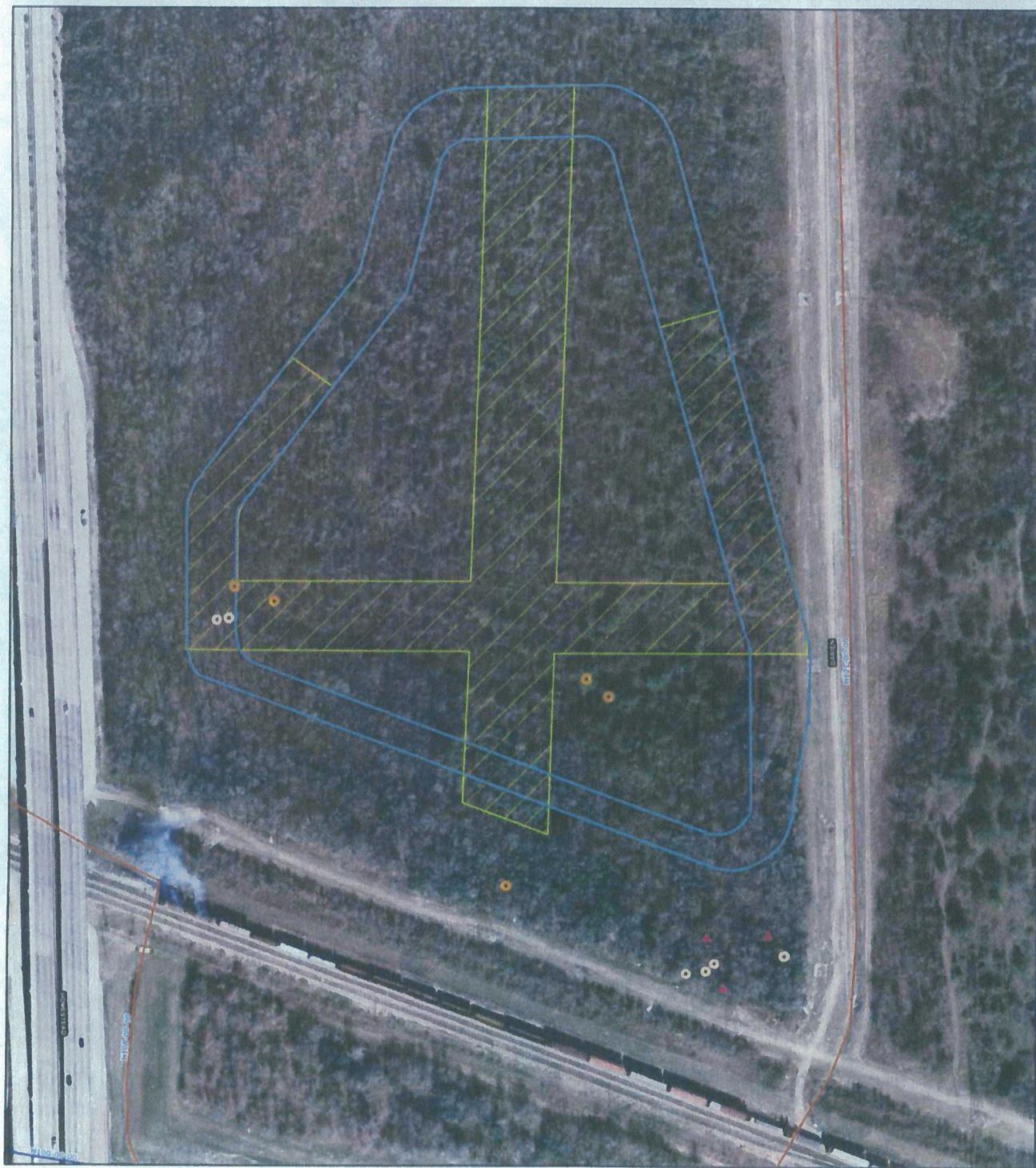


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<b>Hunting Bayou Migratory Bird Survey</b>		
<b>Vicinity Map</b>		
<b>TCB   AECOM</b>		<small>TCB 5757 Woodway, Suite 101 West Houston, Texas 77057-1599 www.tcb.aecom.com</small>
Date June 2008	Job No. 60045893	Exhibit 1

H500-01-00-E001



H500-01-00-00  
2006 Aerial Photograph with Nest Locations Overlay and Proposed Soil and Groundwater Sample Locations Overlay



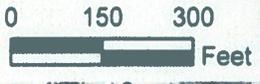
**Legend**

-  Offline Detention Basin Tract
-  Bird Nest
-  Proposed Clear Path
-  Proposed Detention Basin

N



0    150    300



Feet

**Hunting Bayou  
Migratory Bird Survey**

**Site Map**

<p><b>TCB   AECOM</b></p>	<p><small>TCB 5757 Woodway, Suite 101 West Houston, Texas 77057-1599 www.tcb.aecom.com</small></p>
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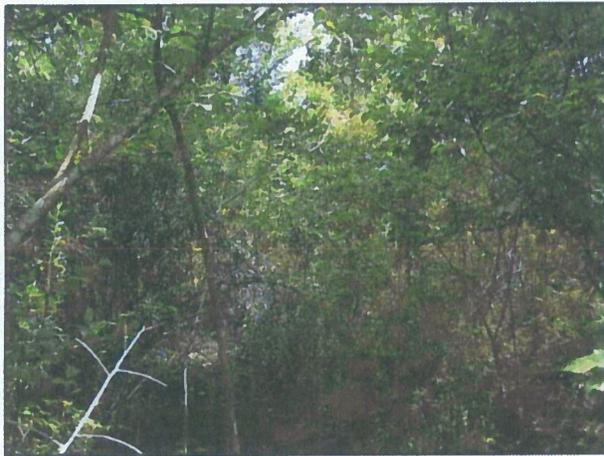


Photo 1 - Typical vegetation observed during survey.



Photo 2 - Typical vegetation observed during survey.



Photo 3 - Nest 1, located near southern boundary of the tract.



Photo 4 - Nest 2.



Photo 5 - Nest 3 with baby birds.

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## Hunting Bayou Migratory Bird Survey

### Site Photographs

TCB | AECOM

TCB  
5757 Woodway, Suite 101 West  
Houston, Texas 77057-1599  
www.tcb.aecom.com

Date June 2008

Job No. 60045893

Exhibit 3



Photo 6 - Another view of Nest 3.



Photo 7 - Nest 4, located within proposed clear path.



Photo 8 - Typical view of vegetation located within proposed clear path.



Photo 9 - Nest 5, located within proposed clear path.

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### Hunting Bayou Migratory Bird Survey

### Site Photographs

TCB | AECOM

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5757 Woodway, Suite 101 West  
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Date June 2008

Job No. 60045893

Exhibit 4

**APPENDIX A**

**LIST OF BIRDS SUBJECT TO THE MIGRATORY BIRD TREATY ACT**

## BIRDS PROTECTED BY THE MIGRATORY BIRD TREATY ACT

### Species Protected by Each Migratory Bird Convention

The United States has entered into four international migratory bird conventions (with Canada, Mexico, Japan, and Russia). Each of these conventions provides protection to a select group of species. The Canadian convention identifies protected groups by Family or species group names (for example, Anatidae, Rallidae, loons, warblers, and so forth). The Mexican convention identifies protected groups by Family names. The Japanese and Russian conventions identify protected species in Appendices to the conventions.

The following list identifies those species protected by each of the conventions.

#### Column headings:

C = Canadian  
 M = Mexican  
 J = Japanese  
 R = Russian

#### Symbols:

O = Family (or Subfamily) listed in convention (Canada and Mexico only)  
 s = occurs regularly in both countries (Canada and Mexico only);  
 + = occurs regularly in the U.S. but not Canada or Mexico (Canada and Mexico only);  
 ? = status in U.S. is uncertain, and eligibility for continued protection is under review (Mexico only)  
 X = listed in Appendix to convention (Japan and Russia only);  
 o = belongs to same Family as species listed in Appendix to convention and occurs regularly in the U.S. (Russia only)

<u>English Name</u>	<u>C</u>	<u>M</u>	<u>J</u>	<u>R</u>
GAVIIDAE (Loons)	O	O		
Red-throated Loon	s	s	X	X
Arctic Loon	s	+	X	X
Pacific (=Arctic) Loon	s			X
Common Loon	s	s		o
Yellow-billed Loon	s	s	X	X
PODICIPEDIDAE (Grebes)	O	O		
Least Grebe	+	s		o
Pied-billed Grebe	s	s		o
Horned Grebe	s	s	X	X
Red-necked Grebe	s	+	X	X
Eared Grebe	s	s		o

PHAETHONTIDAE (Tropicbirds)	O			
White-tailed Tropicbird	s		X	
Red-billed Tropicbird	s			
Red-tailed Tropicbird	s		X	
SULIDAE (Boobies and Gannets)	O	O		
Masked Booby	+	s	X	
Blue-footed Booby	+	s		
Brown Booby	+	s	X	
Red-footed Booby	+	s	X	
Northern Gannet (=Gannet)	s	+		
PELECANIDAE (Pelicans)		O		
American White Pelican		s		
Brown Pelican		s		
PHALACROCORACIDAE (Cormorants)		O		
Great Cormorant	+			o
Double-crested Cormorant	s			o
Neotropic (=Olivaceous) Cormorant	s			o
Brandt's Cormorant	s			o
Pelagic Cormorant	s		X	X
Red-faced Cormorant	+		X	X
ANHINGIDAE (Anhingas)		O		
Anhinga		s		
FREGATIDAE (Frigatebirds)		O		
Great Frigatebird		s	X	
Magnificent Frigatebird		s		
Lesser Frigatebird		+	X	
ARDEIDAE (Bitterns and Herons)		O	O	
American Bittern	s	s		o
Least Bittern	s	s		o
Yellow (=Chinese) Bittern			X	X
Schrenk's Bittern			X	X
Great Blue Heron	s	s		o
Great Egret	s	s		o
Intermediate (=Plumed) Egret			X	X
Chinese Egret				X
Pacific Reef Heron			X	
Snowy Egret	s	s		o
Little Blue Heron	s	s		o
Tricolored Heron	s	s		o
Reddish Egret	s	s		o
Cattle Egret	s	s	X	o
Green (=Green-backed) Heron	s	s		o
Black-crowned Night-Heron	s	s		o
Malay Night-Heron			X	o

Gadwall	S	S	X	O
Eurasian Wigeon	S	S	X	X
American Wigeon	S	S	X	X
Common Pochard	+	+	X	X
Canvasback	S	S	X	O
Redhead	S	S		O
Baer's Pochard			X	
Ring-necked Duck	S	S		O
Tufted Duck	S	+	X	X
Greater Scaup	S	S		X
Lesser Scaup	S	S		O
Common Eider	S	+		X
King Eider	S	+		X
Spectacled Eider	S	+		X
Steller's Eider	S	+	X	X
Harlequin Duck	S	S	X	X
Oldsquaw	S	S	X	X
Black Scoter	S	S	X	X
Surf Scoter	S	S		X
White-winged Scoter	S	S	X	O
Common Goldeneye	S	S	X	X
Barrow's Goldeneye	S	+		O
Bufflehead	S	S	X	X
Smew	S	+	X	X
Hooded Merganser	S	S		O
Common Merganser	S	S	X	X
Red-breasted Merganser	S	S	X	X
Ruddy Duck	S	S		O
Masked Duck	+	S		O
CATHARTIDAE (American Vultures)				O
Black Vulture	S			
Turkey Vulture	S			
California Condor	S			
ACCIPITRIDAE (Kites, Eagles, Hawks, and Allies)				O
Osprey	S		X	X
Hook-billed Kite	S			O
Swallow-tailed (=American Swallow-tailed) Kite	S			O
White-tailed (=Black-shouldered) Kite	S			O
Snail Kite	S			O
Mississippi Kite	S			O
Black Kite			X	X
Bald Eagle	S			X
White-tailed Eagle	+		X	X
Steller's Sea-Eagle	+		X	X
Northern Harrier	S			X
Asiatic Sparrow Hawk			X	X

Common Crane				X
Whooping Crane	s	s		o
CHARADRIIDAE (Plovers and Lapwings)	O	O		
Northern Lapwing	s	+		o
Black-bellied Plover	s	s		X
American (=Lesser) Golden-Plover	s	s	X	X
Pacific (=Lesser) Golden-Plover	s	s		o
Mongolian Plover	s	+	X	X
Great Sand Plover			X	o
Snowy Plover	s	s	X	o
Wilson's Plover	s	s		o
Common Ringed Plover	s	+	X	o
Semipalmated Plover	s	s		X
Piping Plover	s	s		o
Little Ringed Plover			X	X
Killdeer	s	s		o
Mountain Plover	s	s		o
Eurasian Dotterel	+	+	X	X
HAEMATOPODIDAE (Oystercatchers)	O	O		
American Oystercatcher	s	s		
Black Oystercatcher	s	s		
RECURVIROSTRIDAE (Stilts and Avocets)	O	O		
Black-necked Stilt	s	s		
American Avocet	s	s		
JACANIDAE (Jacanas)		O		
Northern Jacana		s		
SCOLOPACIDAE (Sandpipers, Phalaropes, and Allies)	O	O		
Common Greenshank	s	+	X	X
Greater Yellowlegs	s	s	X	o
Lesser Yellowlegs	s	s		o
Marsh Sandpiper				X
Spotted Redshank	s	+	X	X
Wood Sandpiper	+	+	X	X
Solitary Sandpiper	s	s		o
Willet	s	s		o
Wandering Tattler	s	s	X	X
Gray-tailed Tattler	+	+	X	X
Common Sandpiper	+	+	X	X
Spotted Sandpiper	s	s		o
Terek Sandpiper	+	+		X
Upland Sandpiper	s	s		o
Little (=Least) Curlew			X	
Eskimo Curlew	s	s	X	o

Long-tailed Jaeger	S	S	X	X
Great Skua	S	+	X	O
South Polar Skua	S	S		O
Laughing Gull	S	S		O
Franklin's Gull	S	S		O
Little Gull	S	S		O
Black-headed (=Common Black-headed) Gull	S	S	X	X
Bonaparte's Gull	S	S		O
Heermann's Gull	S	S		O
Mew Gull	S	S		X
Ring-billed Gull	S	S		O
California Gull	S	S		O
Herring Gull	S	S	X	X
Thayer's Gull	S	S		O
Iceland Gull	S	+		O
Lesser Black-backed Gull	S	S		O
Slaty-backed Gull	S	+	X	X
Yellow-footed Gull	+	S		O
Western Gull	S	S		O
Glaucous-winged Gull	S	S	X	X
Glaucous Gull	S	S	X	X
Great Black-backed Gull	S	+		O
Black-legged Kittiwake	S	S	X	X
Red-legged Kittiwake	+	+		X
Ross' Gull	S	+		X
Sabine's Gull	S	S	X	X
Ivory Gull	S	+	X	X
Gull-billed Tern	S	S		O
Caspian Tern	S	S		O
Royal Tern	S	S		O
Elegant Tern	S	S		O
Sandwich Tern	S	S		O
Roseate Tern	S	S		O
Common Tern	S	S	X	X
Arctic Tern	S	S		X
Aleutian Tern	+	+	X	X
Forster's Tern	S	S		O
Least Tern	S	S		O
Little Tern			X	
Black-naped Tern			X	O
Gray-backed Tern	+	+	X	O
Bridled Tern	S	S	X	O
Sooty Tern	S	S	X	O
White-winged Tern	S	+	X	X
Black Tern	S	S		O
Brown Noddy	+	S	X	O
Black Noddy	+	S		O
Lesser Noddy			X	
Blue-gray Noddy	+	+	X	O

Greater Roadrunner	+	S		o
Puerto Rican Lizard-Cuckoo	+	+		o
Smooth-billed Ani	+	+		o
Groove-billed Ani	S	S		o
TYTONIDAE (Barn-Owls)		O		
Barn Owl (=Common Barn-Owl)		S		
STRIGIDAE (Typical Owls)		O		
Flammulated Owl		S		o
Eastern Screech-Owl		S		o
Western Screech-Owl		S		o
Whiskered Screech-Owl		S		o
Puerto Rican Screech-Owl		+		o
Great Horned Owl		S		o
Snowy Owl		+	X	X
Hawk Owl (=Northern Hawk-Owl)		+		X
Northern Pygmy-Owl		S		o
Ferruginous Pygmy-Owl		S		o
Elf Owl		S		o
Burrowing Owl		S		o
Spotted Owl		S		o
Barred Owl		S		o
Great Gray Owl		+		o
Long-eared Owl		S		o
Short-eared owl		S	X	X
Boreal Owl		+		X
Northern Saw-whet Owl		S		o
CAPRIMULGIDAE (Goatsuckers)		O	O	
Lesser Nighthawk		S	S	
Common Nighthawk		S	S	
Antillean Nighthawk		+	+	
Pauraque (=Common Pauraque)		+	S	
Common Poorwill		S	S	
Chuck-will's-widow		S	S	
Buff-collared Nightjar		+	S	
Whip-poor-will		S	S	
Puerto Rican Nightjar		+	+	
Jungle Nightjar				X
APODIDAE (Swifts)		O	O	
Black Swift		S	S	o
White-collared Swift			?	
Chimney Swift		S	S	o
Vaux's Swift		S	S	o
White-throated Needletail				X
Common Swift				X
Fork-tailed Swift			X	X
White-throated Swift		S	S	o

Red-naped (=Yellow-bellied) Sapsucker	S	S	O
Red-breasted Sapsucker	S	S	O
Williamson's Sapsucker	S	S	O
Ladder-backed Woodpecker	+	S	O
Nuttall's Woodpecker	S	S	O
Downy Woodpecker	S	S	O
Hairy Woodpecker	S	S	O
Strickland's Woodpecker	+	S	O
Red-cockaded Woodpecker	+	+	O
White-headed Woodpecker	S	+	O
Three-toed Woodpecker	S	+	O
Black-backed Woodpecker	S	+	O
Northern Flicker	S	S	O
Gilded (=Northern Flicker)	+	S	O
Pileated Woodpecker	S	+	O
Ivory-billed Woodpecker	+	+	O

TYRANNIDAE (Tyrant Flycatchers)	O	O	
Caribbean Elaenia	+	S	
Northern Beardless-Tyrannulet	+	S	
Olive-sided Flycatcher	S	S	
Greater Pewee	+	S	
Western Wood-Pewee	S	S	
Eastern Wood-Pewee	S	S	
Lesser Antillean Pewee	+	+	
Yellow-bellied Flycatcher	S	S	
Acadian Flycatcher	S	S	
Alder Flycatcher	S	S	
Willow Flycatcher	S	S	
Least Flycatcher	S	S	
Hammond's Flycatcher	S	S	
Dusky Flycatcher	S	S	
Gray Flycatcher	S	S	
Pacific-slope (=Western) Flycatcher	S	S	
Cordilleran (=Western) Flycatcher	S	S	
Buff-breasted Flycatcher	+	S	
Black Phoebe	S	S	
Eastern Phoebe	S	S	
Say's Phoebe	S	S	
Vermilion Flycatcher	S	S	
Dusky-capped Flycatcher	+	S	
Ash-throated Flycatcher	S	S	
Nutting's Flycatcher		?	
Great Crested Flycatcher	S	S	
Brown-crested Flycatcher	S	S	
Puerto Rican Flycatcher	+	+	
Great Kiskadee	+	S	
Sulphur-bellied Flycatcher	+	S	
Tropical Kingbird	S	S	
Couch's Kingbird	+	S	

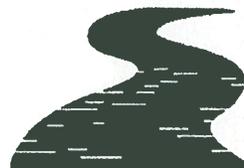
Common Raven		s		X
PARIDAE (Titmice)	O	O		
Black-capped Chickadee	s	+		
Carolina Chickadee	s	+		
Mexican Chickadee	+	s		
Mountain Chickadee	s	s		
Siberian Tit	s	+		
Boreal Chickadee	s	+		
Chestnut-backed Chickadee	s	+		
Bridled Titmouse	+	s		
Plain Titmouse	+	s		
Tufted Titmouse	s	+		
REMIZIDAE (Verdins)		O		
Verdin		s		
AEGITHALIDAE (Bushtits)	O	O		
Bushtit	s	s		
SITTIDAE (Nuthatches)	O	O		
Red-breasted Nuthatch	s	s		
White-breasted Nuthatch	s	s		
Pygmy Nuthatch	s	s		
Brown-headed Nuthatch	+	+		
CERTHIIDAE (Creepers)	O	O		
Brown Creeper	s	s		
TROGLODYTIDAE (Wrens)	O	O		
Cactus Wren	+	s		
Rock Wren	s	s		
Canyon Wren	s	s		
Carolina Wren	s	s		
Bewick's Wren	s	s		
House Wren	s	s		
Winter Wren	s	s		
Sedge Wren	s	s		
Marsh Wren	s	s		
CINCLIDAE (Dippers)	O			
American Dipper	s			
MUSCICAPIDAE (Kinglets, Gnatcatchers, Thrushes, and Allies)	O			
Middendorff's Grasshopper-Warbler	+	+	X	X
Arctic Warbler	+	s	X	X
Willow Warbler				X
Golden-crowned Kinglet	s	s		o
Ruby-crowned Kinglet	s	s		o

MOTACILLIDAE (Wagtails and Pipits)	O	O		
Yellow Wagtail	s	+	X	X
Gray Wagtail	s	+	X	X
White Wagtail	s	s	X	X
Black-backed Wagtail	s	+		o
Olive-backed (=Olive) Pipit (=Tree-	+	+	X	X
Pipit)				
Pechora Pipit	+	+		X
Red-throated Pipit	s	+	X	X
American (=Water) Pipit	s	s	X	X
Sprague"s Pipit	s	s		o
BOMBYCILLIDAE (Waxwings)	O	O		
Bohemian Waxwing	s	+		
Cedar Waxwing	s	s		
PTILOGONATIDAE (Silky-flycatchers)		O		
Phainopepla		s		
LANIIDAE (Shrikes)	O	O		
Northern Shrike	s	+		X
Loggerhead Shrike	s	s		o
STURNIDAE (Starlings)				
Violet-backed Starling			X	
Ashy Starling			X	
VIREONIDAE (Vireos)	O	O		
White-eyed Vireo	s	s		
Puerto Rican Vireo	+	+		
Bell's Vireo	s	s		
Black-capped Vireo	+	s		
Gray Vireo	+	s		
Solitary Vireo	s	s		
Yellow-throated Vireo	s	s		
Hutton's Vireo	s	s		
Warbling Vireo	s	s		
Philadelphia Vireo	s	s		
Red-eyed Vireo	s	s		
Yellow-green (=Red-eyed) Vireo	+	s		
Black-whiskered Vireo	+	s		
EMBERIZIDAE (Emberizids)				
PARULINAE (Wood-Warblers)	O	O		
Bachman's Warbler	+	+		o
Blue-winged Warbler	s	s		o
Golden-winged Warbler	s	s		o
Tennessee Warbler	s	s		o
Orange-crowned Warbler	s	s		o

Rufous-capped Warbler	+	S	○
Yellow-breasted Chat	S	S	○
Olive Warbler	+	S	○
THRAUPINAE (Tanagers)	O	O	
Stripe-headed Tanager	+	S	
Puerto Rican Tanager	+	+	
Hepatic Tanager	+	S	
Summer Tanager	S	S	
Scarlet Tanager	S	S	
Western Tanager	S	S	
Antillean Euphonia	+	+	
CARDINALINAE (Cardinals, Grosbeaks, and Allies)	O	O	
Crimson-collared Grosbeak	+	S	
Northern Cardinal	S	S	
Pyrrhuloxia	+	S	
Yellow Grosbeak	+	S	
Rose-breasted Grosbeak	S	S	
Black-headed Grosbeak	S	S	
Blue Grosbeak	S	S	
Lazuli Bunting	S	S	
Indigo Bunting	S	S	
Varied Bunting	+	S	
Painted Bunting	S	S	
Dickcissel	S	S	
EMBERIZINAE (Sparrows and Allies)	O	O	
Olive Sparrow	+	S	○
Green-tailed Towhee	S	S	○
Eastern (=Rufous-sided) Towhee	S	+	○
Spotted (=Rufous-sided) Towhee	S	S	○
Canyon (=Brown) Towhee	+	S	○
California (=Brown) Towhee	+	S	○
Abert's Towhee	+	S	○
White-collared Seedeater	+	S	○
Yellow-faced Grassquit	+	S	○
Black-faced Grassquit	+	+	○
Puerto Rican Bullfinch	+	+	○
Bachman's Sparrow	S	+	○
Botteri's Sparrow	+	S	○
Cassin's Sparrow	S	S	○
Rufous-winged Sparrow	+	S	○
Rufous-crowned Sparrow	+	S	○
American Tree Sparrow	S	+	○
Chipping Sparrow	S	S	○
Clay-colored Sparrow	S	S	○
Brewer's Sparrow	S	S	○
Field Sparrow	S	S	○
Worthen's Sparrow	+	S	○
Black-chinned Sparrow	+	S	○
Vesper Sparrow	S	S	○

Bronzed Cowbird		S		
Brown-headed Cowbird		S		
Black-cowled Oriole	S	S		
Black-vented Oriole		?		
Orchard Oriole	S	S		
Hooded Oriole	+	S		
Streak-backed Oriole	+	S		
Altamira Oriole	+	S		
Audubon's Oriole	+	S		
Baltimore (=Northern) Oriole	S	S		
Bullock's (=Northern) Oriole	S	S		
Scott's Oriole	S	S		
FRINGILLIDAE (Finches)	O	O		
FRINGILLINAE	O	O		
Brambling	S	+	X	X
CARDUELINAE	O	O		
Black (=Rosy) Rosy-Finch (=Finch)	+	+		O
Brown-capped (=Rosy) Rosy-Finch (=Finch)	+	+		O
Gray-crowned (=Rosy) Rosy-Finch (=Finch)	S	+		O
Pine Grosbeak	S	+	X	O
Common Rosefinch	+	+		X
Purple Finch	S	S		O
Cassin's Finch	S	S		O
House Finch	S	S		O
Red Crossbill	S	S		O
White-winged Crossbill	S	+		O
Common Redpoll	S	+	X	X
Hoary Redpoll	S	+	X	X
Pine Siskin	S	S		O
Lesser Goldfinch	S	S		O
Lawrence's Goldfinch	+	S		O
American Goldfinch	S	S		O
Oriental Greenfinch	+	+		O
Eurasian Bullfinch	+	+	X	X
Evening Grosbeak	S	S		O
Hawfinch	+	+	X	X

# MEMORANDUM



Harris County  
Flood Control District

9900 Northwest Freeway  
Houston, Texas 77092  
713 684-4000

**DATE:** July 23, 2008  
**TO:** Bill St. John  
Capital Projects Dept.  
**FROM:** Denise Todt  
Environmental Services Dept.  
**RE:** Environmental Services Project Status

Project ID: H500-01-00-E001

ENV Task Request #: 06-417E

**Status:**

<input checked="" type="checkbox"/> Status Update	Task Manager: Denise Todt
<input type="checkbox"/> Recommendation	Date: 7/23/08
<input type="checkbox"/> Release for Acquisition	
<input type="checkbox"/> Release for Final Design	Dept. Manager: <i>Catherine C. [Signature]</i>
<input type="checkbox"/> Release for Construction	Date: 7-23-08

**Expirations:**

<input type="checkbox"/> USACE Permit	Exp:
<input type="checkbox"/> Delineation/Verification	Exp:
<input type="checkbox"/> ESA	Exp:
<input type="checkbox"/> EA/EIS	Exp:

**Details:**

Five nest sites were identified by TCB; six additional sites were identified by HCFCF. All sites must be avoided during clearing. It is recommended that clearing the remainder of the offline detention basin tract be conducted during the non-breeding season (October-February).

If the tract is cleared during the non-breeding season, the clearing activity would be in compliance with the Migratory Bird Treaty Act (MBTA) and eliminate the need for a nest survey. Avoiding identified nests during activities or clearing outside the bird breeding season would be in compliance with the MBTA.

**Special Conditions:**