

DANIEL EDELSTEIN, CONSULTING AVIAN BIOLOGIST

May 11, 2017
Project #171005

Dr. Dan Zaich
Sr. Facilities Director
San Rafael City Schools
310 Nova Albion Way
San Rafael, CA 94903

Subject:

Proposal — for a focused survey centered on detecting the potential presence of nesting raptors and other migratory birds at San Rafael High School (in regard to its master facilities long-range plan and stadium project and, in addition, to comply with the Mitigation And Monitoring Program (MMRP) specified in the Final Environmental Impact Report titled “San Rafael High School Campus FEIR.”)

Management Action 1:

Deliverable:

Conduct Focused Survey (Survey) For Potential Presence Of Nesting Raptor And Other Migratory Bird Species To Comply With The FEIR and MMRP.

As an Avian Biologist & Wildlife Biologist for the last 25 years in California (and as a Certified Wildlife Biologist Assoc.), I will conduct a focused bird survey to determine the potential presence of nesting raptor and other migratory bird species to comply with the FEIR’s MMRP BIO-1 stipulation.

In so doing, I will assess as part of my Survey vegetation upon the Site and in buffer zone for potential active nests.

Note the buffer zone is defined as a 75-foot zone on all sides adjacent to the Site’s boundaries in relation to assessing the potential nesting presence of songbirds and, in addition, a 250-foot zone on all sides of the Site in relation to assessing the potential nesting presence of raptor species.

Management Action 2:

Deliverable:

Letter Report That Assesses The Results Of Survey Conducted In Management Action 1, above.

A Letter Report (Report) of findings related to the Survey noted above will be prepared and submitted submitted within three days after the aforementioned Survey is completed.



The Report will confirm the presence or absence of any active nests and, in so doing, shall confirm that any newborn bird species within a designated no-disturbance zone upon the Site have fledged so that construction can proceed.

This Report will serve as documented evidence for the SRCS to confirm its compliance with the MMRP's #BIO-1 in the FEIR.

In so doing, SRCS will satisfy its obligation satisfy any local, state (California Department of Fish and Wildlife), and federal (US Fish and Wildlife Service*) regulatory ordinances, codes, and/or laws pertaining to protection of any potential nesting bird species in the no-disturbance zone (i.e., Site) or in buffer zone adjacent to it (* = survey will ensure SRCS's compliance with the Migratory Bird Treaty Act overseen by the US Fish and Wildlife Service).

As part of the Report, a "Conclusions and Recommendations" section will describe a mitigation measure to ensure construction may proceed without delay (or with as little delay as possible for compliance to remain valid), if an active bird nest is found on the Site or in buffer zone adjacent to it.

Not To Exceed Costs:

Costs (below) are based on a Not To Exceed maximum for each of the above three management actions.

Management Action 1:

Not To Exceed 8 hours = \$95 per hour x 8 hours = \$760

Management Action 2:

Not To Exceed 8 hours = \$95 per hour x 8 hours = \$760

TOTAL: Not To Exceed \$1,520

My costs in each above option are based on the following:

- Results and Report submittal are considered the exclusive property of the SRCS.
- Note the Report shall be submitted by email within two business days after the Survey is completed
- The Report will contain photos, maps/figures, tables/charts, and narrative that assesses the Survey and, in so doing, contains Conclusions & Recommendations section that advises actions, if any, that the SRCS should consider doing to ensure its proposed construction action on the Site complies with local, state, and federal laws and regulations/codes (e.g., California Department of Fish and Wildlife (CDFW) codes and the Migratory Bird Treaty Act (MBTA) overseen by the US Fish and Wildlife Service.



- The aforementioned Report as a deliverable and will be edited one time by Daniel Edelstein and re-submitted, if after review the SRCS wishes to suggest changes in the Report.

Not To Exceed Cost Agreement Summary

My above proposed work shall be completed on a time/materials basis for a Not To Exceed limit of \$1,520

I, Daniel Edelstein, am ready to initiate the above scope upon receiving written authorization from a SRCS employee. This cost estimate is valid for 75 days from the date of this proposal. Your signature below will authorize me to proceed with this scope.

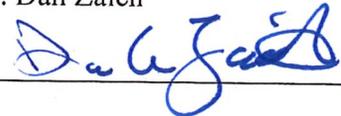
Sincerely,

Daniel Edelstein

 (signature)

5/12/17 (date)

Dr. Dan Zaich

 (signature)

5/16/17 (date)

