

ENVIRONMENTAL INSPECTION REPORT City of Oakland – Leona Quarry

Date:	June 18, 2004; 10:15 a.m. – 12:15 p.m.
Inspector:	Kevin Kilpatrick
Weather:	Sunny, approximately 65 degrees Fahrenheit, and approximately 5 to 10 mph wind.

ACTIVITY: Whipsnake Replacement Fence Inspection

COMMENTS: The contractor is relocating the Alameda whipsnake protection fence to provide room for additional grading. The fence that is being moved is located on the north side of the project. Nearly the entire fence is being moved north by 10 to 35 feet (toward the potential whipsnake habitat). I inspected approximately 200 feet of fence that had been replaced, and discussed some areas where the fence does not meet the specifications described in the Special Status Species Plan.

I met Construction Monitor Eric Vance (Wetlands Research Associates) at the project site and we discussed the Special Status Species Plan, which includes the following description for construction of the whipsnake fence:

“The barrier fence shall be installed so that it is angled outward, away from the construction zone. It will be a minimum of 24 inches tall. Support stakes for the fence shall be placed on the inside of the fence to eliminate potential areas where the snakes may climb over the fence. The fence shall be buried approximately 6-8 inches below the ground surface.”

The fence generally met these requirements with one discrepancy: the fence posts are generally driven straight into the ground, and not angled outward, away from the construction zone. Eric explained that the reason they are putting the fence posts straight into the ground, is because the fence is located on a slope and if they angled the fence away from construction (toward the slope) it would cause the fence to be closer than 24-inches to the ground.

The intention of the outward lean is to discourage whipsnakes (which are agile tree climbers) from being able to climb up and over the fence. One way to correct this issue is to use a taller fence material, such as 48-inch fence, which would allow the fence to have an outward lean while remaining at least 24-inches from the ground. I also discussed this concern with biologist Dana Riggs (Wetlands Research Associates), who in turn discussed this with construction engineer Peter Helseth (DeSilva Gates). Peter told Dana that it would take approximately three weeks to obtain a taller fence material, however, if the City would prefer, he could construct a height extension to the new fence (while leaving the stakes in the straight orientation). Although it is difficult to determine the significance of this shortcoming on the specifications, it could develop into a significant problem if a whipsnake were taken within the construction zone.

I recommend that this issue be discussed with the City of Oakland as to how they would like the contractor to resolve this discrepancy.

I also noted to Eric that there was one area where a small gap needed to be closed between two sections of fence. He said he would have the crew make the repair. Otherwise, the fence met the specifications of being sufficiently buried and at least 24-inches tall. The fence replacement work will take place over approximately the next three working days (estimated completion date Monday June 28).

Once the fence is relocated, the contractor (DeSilva Gates) will proceed with clearing and grading. I discussed with Eric that prior to grading, the contractor conduct vegetation removal according to the Special Status Species Plan with the biologist closely monitoring the work. Eric confirmed that he would be onsite to monitor for whipsnakes during vegetation removal. He also said that they might need to remove a tree, which has already been marked by the arborist for approved removal. Eric will check for bird nests prior to removal.

OUTSTANDING ITEMS:

1. The contractor needs to submit plans for approval to the City of Oakland for an alternative protection measure for Alameda whipsnake. The plans must be submitted prior to the construction activity on the north slope repair area in potential whipsnake habitat.
2. Determine if the Alameda whipsnake fence should be reconstructed with new materials to provide a definite outward lean.