

Daniel Edelstein
Biologist

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■ **PERMITS**

- US Fish and Wildlife Service Endangered Species Permit for **CA Clapper Rail** (10(a)1(A)), Permit #TE-101743-0 (through 2015), and California Department of Fish and Game permit (Memorandum of Understanding)
- US Fish and Wildlife Service **fairy shrimp** collecting permit Federal Endangered Species (10(a)1(A)) Permit #TE-101743-0 (through 2015) for listed vernal pool branchiopods
- US Fish and Wildlife Service, **California Tiger Salamander** collecting permit Federal Endangered Species (10(a)1(A)) Permit #TE-101743-0 (through 2015), and California Department of Fish and Game permit (Memorandum of Understanding)
- **Scientific Collecting Permit**, #006365, California Department of Fish and Game
- Rare, Threatened, and Endangered **Plant Voucher Collecting Permit**, #08076, California Department of Fish and Game
- US Fish and Wildlife Service **Southwestern Willow Flycatcher** collecting permit (10(a)1a), pending (expected by 2012)
- **Certified Associate Wildlife Biologist** (as of 12/2011) The Wildlife Society (national professional organization)

■ **ADDITIONAL TRAINING RELATED TO ENVIRONMENTAL CONSULTING/COMPLIANCE**

- CA Clapper Rail (CLRA) survey assistant (received US Fish and Wildlife Service collecting permit 10(a)1(A) based on my survey work with PRBO Conservation Science's 2008-09 point counts throughout North Bay locales, in addition to other 2006-7 CLRA surveys), 2008-current
- Fairy Shrimp certification class (Instructor: Mary Belk, permitted fairy shrimp authority); successfully passed test in 2005 and earned US Fish and Wildlife Service fairy shrimp collecting permit 10(a)1(A) that is applicable through 2010.
- Certificate of Achievement, Wetland Delineation Training Course, Romberg Tiburon Center, San Francisco State University, 2001.
- Various University of California-Extension classes related to "California Botany: Fifty Families," "Wetlands Regulations Update-Compliance & Mitigation," "Environmental Compliance," including California Env. Quality Act (CEQA) training, "National Env. Policy Act (NEPA)" training, "Endangered Species Act" updates, "Northern California Special-Status

Reptiles & Amphibians," "Endangered Species Act Compliance and the California Red-Legged Frog," and "Endangered Species Act Compliance and the California Tiger Salamander."

- "Stream Restoration Techniques" (full semester course) completed in 2005, Santa Rosa Junior College; class included hands-on case study project/report submission for prospective "watershed restoration project" by Calif. Dept. of Fish & Game.
- Biology and Management of the California Tiger Salamander, conducted by Alameda County Conservation Partnership, August, 2006.
- Biology and Management of the California Red-Legged Frog, conducted by Alameda County Conservation Partnership, June, 2006.
- College of Marin classes: *Ornithology, 2004* (followup to initial 1985 semester-long Ornithology class); *Mammalogy, 2003*; *Field Ecology, 1989 and 2002*; *GIS Methods, 2001*).
- Bird Bander training, Institute For Bird Populations, 1998 Certificate of Achievement.

■ PROFESSIONAL AFFILIATIONS

- Member, Wildlife Society
- Member, Association of Environmental Professionals
- Member, Society of Wetland Scientists
- Member, Western Field Ornithologists
- Member, Cornell Lab of Ornithology
- Member, American Birding Association
- Member, Marin Audubon Society (on its Conservation Committee)

■ EDUCATION

- M.S.: Natural Resources, University of Wisconsin, Stevens Point, (Dean's List)
- B.S.: Journalism (Dean's List), Marquette University

■ PROFESSIONAL EXPERIENCE SUMMARY

Mr. Edelstein possesses diverse skills as an experienced biologist who has conducted plant and wildlife surveys for more than 25 years, including surveys throughout California (and among more than 20 counties throughout northern, central, and southern portions of the state). As "qualified biologist," within the environmental consulting field (as judged by the U.S. Fish and Wildlife Service's Sacramento Office and the California Department of Fish & Game's Yountville office), his botanical and wildlife field studies have occurred throughout California for both common and special-status species, including more than a dozen special-status bird species* (see the * section below); mammal species such as San Joaquin kit

fox, desert tortoise, dusky San Francisco dusky-footed woodrat, salt-marsh harvest mouse, American badger, Sierra red fox, and various bat species; herpetofauna special-status species such as California tiger salamander (for which he expects to qualify for a larval sampling permit based on his extensive field survey experience), red-legged frog, western spadefoot (toad), and Alameda whipsnake.

Areas of his wildlife expertise include survey experience with mammal trapping, herpetofauna studies, and avifauna surveys (the latter of which includes a federal permit to conduct California clapper rail surveys). One of his specialties is identifying animals by their tracks and scats, including special-status species such as those mentioned in the previous paragraph (i.e., San Joaquin kit fox and desert tortoise, for example, are mammals he has identified by their scat and tracks).

Subsequently, his field data relating to wildlife and plants are often included in the technical sections he authors for environmental assessments, biological assessments, initial studies, environmental impact reports, environmental impact studies, restoration plans, and wetland delineation reports.

In addition, he has prepared biological resource assessments, impact analyses, alternative solution documents, and mitigation strategies for diverse reports, in addition to working with agencies to procure state, federal, and local permits on behalf of clients. Conducting long-term monitoring surveys for special-status species (e.g., songbirds and raptors within proposed wind turbine networks) and coordination of compliance standards related to construction within sensitive habitats are two other well-developed skills.

His specialties include plant surveys, wildlife ecology, raptor surveys, California clapper rail surveys {for which he possesses a US Fish and Wildlife Service 10(a)1(A) permit}, fairy shrimp (he possesses a USFWS permit}, avian studies/surveys, and wetlands and botanical services requiring compliance with the California Environmental Quality Act (CEQA), California Endangered Species Act (CESA), federal Endangered Species Act (ESA), National Environmental Policy Act (NEPA), and various California Department of Fish and Game (CDFG) codes. While following both state and federal protocol guidelines, he has conducted general and focused protocol surveys for a wide variety of both common and special-status wildlife species, in addition to performing botanical field studies/surveys and wetland delineations.

Mr. Edelstein has knowledge of the state and federal endangered species acts, as well as state and federal regulations and permits involving biological resources. His training includes wetland delineation certification and permitting. He is familiar with electronic inventories of flora and fauna

(CNDDDB and others), GPS operation, GIS and mapping techniques, as well as other aspects of report production and presentation. He has attended strategic planning meetings with clients and developed budgets/scopes, in addition to writing proposals in response to Requests For Proposals.

In recent years, he has often mentored junior staff when working as a staff biologist (see "Work History" section) and, in so doing, supervised their duties and coordinated meetings. For three current San Francisco Public Utility Commission (SFPUC) projects (that he began assisting in 2009), he has educated new monitors (that serve as support staff), trained construction workers to identify on-site special-status species, and recorded/reported incidents of non-compliance when an on-site contractor violated the Mitigation & Monitoring Response Measures (MMRPs) mandated for projects (per the Biological Opinion).

As such, he has both served as a biologist and environmental inspector for SFPUC projects within San Mateo, Alameda, and Stanislaus Counties. Within Riverside and San Diego counties, he has served as both a biologist and restoration specialist at sites where mitigation plans were implemented (and he developed) for restoring habitat. In Riverside County, for example, while conducting desert tortoise surveys, he served as a biological monitor to determine their presence/absence among hundreds of proposed acres targeted for development. This work included using GPS as well as developing transect design routes/maps to ensure correct survey methods were completed.

Other southern California work included nearly two years of ongoing survey work for special-status reptile, amphibian, bird, and mammal species at Tejon Ranch (Kern and Los Angeles County portions of this large refuge).

Lastly, he teaches environmental classes at community colleges (e.g., Merritt College, Oakland, CA where he is an adjunct faculty member in the Biology Department) and in other adult education settings.

{* = Specific to bird surveys, Mr. Edelstein has conducted them for special-status raptors (e.g., burrowing owl, Swainson's hawk, northern harrier), rails (e.g., California clapper rail, black rail) and songbirds {e.g., southwest willow, flycatcher, yellow warbler, Allen's hummingbird, Loggerhead shrike, least Bell's vireo, oak titmouse (subspecies), coastal California gnatcatcher, yellow-breasted chat, saltmarsh common yellowthroat, hermit warbler, tricolored blackbird, lark sparrow, song sparrow (three subspecies), and Lawrence's goldfinch}.

■ PROFESSIONAL PROFILE

Biological

- Field surveys for presence and/or absence of listed and special-status species (flora and fauna) in more than 20 California counties (including northern, central, and southern ones)
- Habitats in which surveys were conducted: desert, forest, wetlands, riparian, chaparral, and many others.
- Biological surveys (flora, fauna, and wetland/riparian resources) for public, private and commercial development projects (e.g., planned developments; wind turbine and electrical distribution/transmission routes; communications towers; bridge and culvert replacements; and riparian encroachment).
- Current biological surveys are being conducted within proposed power gridline (e.g., solar and wind turbine projects) areas for which permits must first be secured from agencies (e.g., current Lake County project)
- Per the above summary, his biological/environmental inspector roles have been performed in the following California counties: Kern, Los Angeles, Riverside, San Mateo, Alameda, Stanislaus Counties, Marin, Sonoma, Solano, and Placer County.
- Within Riverside and San Diego counties, he has served as both a biologist and restoration specialist at sites where mitigation plans were implemented (and he developed) for restoring habitat. In Riverside County, for example, while conducting desert tortoise surveys, he served as a biological monitor to determine their presence/absence among hundreds of proposed acres targeted for development. This work included using GPS as well as developing transect design routes/maps to ensure correct survey methods were completed.

Other southern California work included nearly two years of ongoing survey work for special-status reptile, amphibian, bird, and mammal species at Tejon Ranch (Kern and Los Angeles County portions of this large refuge).

- Bird surveys have been conducted for the following special-status species: songbirds such as southwest willow flycatcher, yellow warbler, Allen's hummingbird, loggerhead shrike, least Bell's vireo, oak titmouse (subspecies), coastal California gnatcatcher, yellow-breasted chat, saltmarsh common yellowthroat (*sinuosa* subspecies), hermit warbler, tricolored blackbird, lark sparrow, song sparrow (three subspecies), and Lawrence's goldfinch, in addition to other special-status bird species, including, burrowing owl, golden eagle, northern goshawk, northern spotted owl, California clapper rail, black rail, and white-tailed kite.

- Other special-status focused wildlife surveys have focused on California red-legged frog, western spadefoot (toad), California tiger salamander, desert tortoise, and Alameda whipsnake.
- Plant survey experience: botanical surveys (common and special-status species); wetland delineations throughout California; mitigation design, installation, and monitoring; vegetation mapping and analysis for riparian restoration projects; habitat characterizations; short- and long-term biological monitoring; wetland value and function (California Rapid Assessment Method); resource mapping and analysis; stream surveys for macroinvertebrates; fish sampling.
- Author of 1) Biological Assessment (BA) reports and 2) biological resource chapters for EIRs that address compliance measures for Federal and/or State agencies under National Environmental Protection Agency (NEPA), California Environmental Quality Act (CEQA), and Endangered Species Act (ESA) Section 7 and Section 10, (e.g., biological monitoring for construction projects such as riparian restoration, bridge installation and natural gas pipeline replacement in order to avoid impacts to listed and special-status flora and fauna species; surveys conducted to minimize impacts to wetland and/or riparian habitats, and ensure compliance through proper use of Best Management Practices (BMPs).
- Assessment of project impacts towards selected resource(s) and the design of on- and off-site mitigation or preservation plans pursuant to legal requirements or client request. In addition, monitor and evaluator of mitigation requirements (i.e., Ensure compliance with MMRPs specific to a project site (per its Biological Opinion that the USFWS mandates should be followed for a site). For more than a dozen projects statewide, he has served as a biologist/biological monitor to ensure MMRPs are addressed by a) educating on-site construction personnel and junior biologists in handling and capture techniques related to the potential presence of special-status species at a site; b) served as the designated biologist in charge of exclusive movement of various MMRP/special-status species, if found and in need of transfer/handling to safeguard their health; c) searched, excavated and/or collapsed burrows of various species (California tiger salamander, desert tortoise, San Francisco dusky woodrat) to ensure their safety prior to the initiation of construction at sites; d) reported non-compliance situations to appropriate personnel, including agencies, in order to correct situations whereby special-status species were subject to mortality (e.g., entrapment within construction equipment; encroachment of equipment upon animals (e.g., Alameda whipsnake, desert tortoise, San Francisco garter snake, etc.); and e) filed daily reports to monitor and ensure compliance of a construction site with associated permit(s) and/or a corresponding biological opinion. The aforementioned SFPUC work entrusted me to regularly report non-compliance situations and, recently, to attend meetings where my troubleshooting solution was implemented to ensure

electrocution potential upon special-status raptor species was avoided.

Wetlands

- Conduct formal U.S. Army Corps of Engineers (USACE) and California Coastal Commission (CCC) wetland delineations.
- Evaluate and calculate direct and indirect impacts to wetlands and other *Waters of U.S.* and/or *State* for projects including, but not limited to wind turbine sites, natural gas pipeline installations, transportation corridor improvements, landfill conversions, disposal sites in violation, and residential/commercial developments.
- Develop appropriate restoration design, acceptable mitigation methods, and applications with the ability to follow strict protocols and maintain effective working relationships between the client and all regulatory agencies.

Revegetation Plans & Utility/Right-of-Way Forestry

- Research and develop re-vegetation plans for sites impacted by grading and construction design elements, including coordination of plant purchase and execution of planting on the site (with subsequent irrigation/monitoring plan included as part of mandated "success criteria").
- Heritage Tree and tree resource mitigation/permit compliance for applicable projects where regulations and ordinances exist (e.g., heritage oak preservation to comply with county-by-county standards in California).
- Coordinate State agencies, private vendors and all landowners for Right of Way vegetation management operations.
- Land identification and biological resource inventories for all project site selections.
- Supervision of vegetation management for utility and fuel load reduction operations on public and private lands.
- Coordination with local utility companies, local governments, and private landowners for utility Right-of-Way vegetation management operations.

Permitting

- USACE Clean Water Act (CWA) Section 404 Individual and Nationwide Permits (NWPs) for projects (e.g., restoration and mitigation activities, navigable channels communication towers; earthen levee repair; and residential and commercial developments) impacting *Waters of the U.S.*
- Rivers and Harbors Act (RHA) Section 10 permitting for activities occurring in, over, or under navigable *Waters of the U.S.*
- California Regional Board (multiple Regional Boards) CWA Section 401

Certifications and Reports of Waste Discharge (ROWD) for projects (e.g., stormwater outfall, natural gas pipeline repairs/installation, bridge installation, earthen levee repair) impacting *Waters of the U.S.* and/or *State*.

- CDFG Lake and Streambed Alteration Notification Packages (Fish and Game Code Sec. 1600) for projects (e.g., stormwater outfalls, earthen levee repairs, riparian encroachments) impacting riparian habitat.
- CCC Coastal Development Permit for projects (e.g. private planned development projects, remediation, natural gas pipeline installation and earthen levee repair) located within the Coastal Zone.
- 2081 California Endangered Species Act (CESA) permitting (e.g., 2081 (b) and (c) Incidental Take Permit Process) (private and commercial planned development projects).
- Biological Assessment Reports for all Federal and/or State agencies under NEPA/ESA Section 7 and 10, USFWS Federal Endangered Species Act (FESA) permitting (private and commercial planned development and remediation projects).
- Consult and supervise as a project manager in the development (or continuation) of multimodal plans and projects that involve all relevant local, State, and Federal permitting guidelines.
- Conceptual and detailed design/planning of native restoration programs within compliance of USACE, CDFG, and USFWS permitting requirements.

Environmental Planning

- CEQA Initial Study/Negative Declaration (IS/ND) and determination if project meets criteria of Categorical Exemption.
- Biological Resources sections for biological sections of CEQA Environmental Impact Reports (EIRs) and Mitigated Negative Declarations (MNDs), in addition to Biological Assessment (BA) report preparation.
- Preparation, review and process of all relevant environmental protocols and documents as mandated by all Federal, State, and local regulations.
- Wild and/Urban Interface assessments containing appropriate management applications, local, State, and Federal agency coordination, and proactive planning performed for public agencies and private clients.
- Detailed construction level planning and design.
- Mitigation design.

Other Skills

- GPS: Trimble Pathfinder ProXR field unit and TerraSync software, Garmin handheld GPS units, Kestrel "weather-related" field handheld instrument.

- Computer: MS Excel; MS Word; Google Earth (aerial photo figure development); Working Knowledge of ESRI GIS programs.
- Map/Figure development: A regular portion of my report writing includes utilizing historical and current photos/maps to create appendices that feature figures, tables, and graphs (based on Google Earth images and other sources that are adapted for compliance reports)
- Soil: U.S. Department of Agriculture (USDA) National System of Soil Classification, and Natural Resources Conservation Service (NRCS) Unified Soil Classification System.
- CNDDDB and other wildlife/plant database searches for compliance reports that complement field surveys.

■ WORK HISTORY

- Consulting Biologist (2009-present)
(Current projects as of 7/5/11 are for 1) Canada Goose Management Plan (sanitary district in Marin Co.); 2) Ongoing biological surveys at proposed and active California utility pipelines (water) and power grid routes (wind and solar) whereby compliance with MMRPs and biological opinions must be addressed/ensured)
- Biologist, SCS Engineers & Environmental Consultants (Santa Rosa, CA) (staff position eliminated due to low work volume) (2006-2008)
- Biologist, Mactec Engineering (Petaluma, CA) (staff position, but biology department eliminated due to low work volume) (October, 2004-February, 2006)
- Biologist, Impact Sciences, Inc. (Oakland, CA) (staff position, but biology field work eliminated from Oakland, CA office) (2003-August, 2004)
- Consulting Biologist (for environmental consulting firms)/Naturalist/Writer; clients included Greenhorne & Omara (Greenbelt, MD), ESA (Oakland, CA), Ibis Environmental (San Rafael, CA), Wood Biological Consulting (Walnut Creek, CA) (subcontractor), (1988-2003 and 2004-2005)
- Biologist/Naturalist (staff), Courage Center Environmental Center (Maple Lake, MN) (1988-89)
- Biologist/Naturalist (staff), Hayward Shoreline Nature Center (Hayward, CA) (1986-87)
- Biologist/Naturalist (staff), Schmeeckle Reserve, Univ. of Wisconsin (graduate school research/teaching position) (Stevens Point, WI) (1983-85)
- Biologist/Naturalist (staff), White Pines Environmental Center (Dixon, IL) (1982)
- Biologist/Naturalist, Riveredge Nature Center (Newburg, WI) (1981)