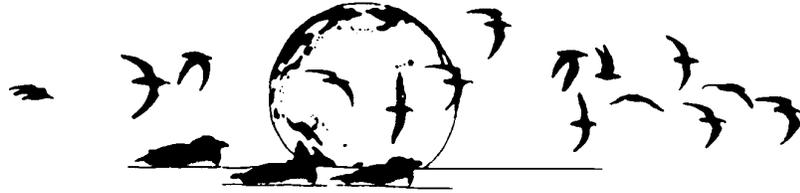


Pacific Seabird Group



DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

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18 September 2004

Nanette Seto
Migratory Bird and Habitat Programs
U.S. Fish and Wildlife Service
911 NE 11th
Portland, OR 97232-4181

RE: Draft Environmental Impact Statement on Caspian Tern Management

Dear Nanette:

On behalf of the Pacific Seabird Group (PSG), we offer the following comments on the Draft Environmental Impact Statement (DEIS) on Caspian Tern Management to Reduce Predation of Juvenile Salmonids in the Columbia River Estuary. As you know, PSG is an international, non-profit organization that was founded in 1972 to promote the knowledge, study, and conservation of Pacific seabirds; it has a membership drawn from the entire Pacific basin, including Canada, Mexico, Peru, Chile, Russia, Japan, China, Australia, New Zealand, and the USA. Among PSG's members are biologists who have research interests in Pacific seabirds, government officials who manage seabird refuges and populations, and individuals who are interested in marine conservation. PSG has been involved with issues relating to Caspian Terns and salmonids for many years, and has provided our views to FWS, NOAA, the Corps of Engineers, and state agencies in previous environmental assessments and similar documents.

Our comments fall into three primary categories.

I. The Premise of the DEIS Is Fatally Flawed

For many years, PSG has criticized the science behind what is essentially a presumption by some regulatory agencies that Caspian Terns have a great effect on salmonid populations, especially wild stocks of adults. We cannot find any discussion in the DEIS of the actual return of wild stocks of adult salmonids as a function of tern predation on smolts. The phrase "population growth rates" in the DEIS implies that this phrase refers to the growth of actual adult steelhead populations. In fact, it refers to the projected percentage change in smolts (the calculated "lambdas"). The projected percentage increases in smolts assume all other factors to be constant, an assumption that Appendix C seems to concede is unfounded, if not silly. Moreover, over 90% of the smolts consumed by terns are hatchery smolts, not wild smolts. Departing from models and "scientific" speculation to the real world, salmonid returns in the Columbia River have been increasing remarkably during the period when the Government contends that Caspian Terns have been devastating them in the Columbia River estuary. In addition, the DEIS fails to acknowledge that tern predation on smolts has dropped by two-thirds in recent years. Thus, the management approaches described in the DEIS seem to be a solution in search of a problem, rather than the reverse.

Under the National Environmental Policy Act and its implementing regulations (e.g., 40 C.F.R., Part 1502), a DEIS must provide a full and fair discussion of environmental impacts, discuss direct and indirect effects, and provide means to mitigate adverse environmental impacts. This DEIS cannot possibly be considered a "full and fair discussion" when the agencies refuse to engage in the most pertinent of all analyses — comparing the actual salmon returns with the consumption of smolts by Caspian Terns. For example, before salmon returns increased significantly, NMFS presentations on this subject (e.g. Pollard, "Impacts of Avian Predation on Fisheries and Recovery of ESA Listed Salmon in the Columbia River Basin," Pacific Seabirds 26:43 [1999]) included graphs showing the decline in salmon returns coinciding with the increase in the number of terns over the past few decades. Such attempts at correlations have not been attempted in recent years, however, because they would demonstrate that the claimed relationship is false.

Scientists at NOAA Fisheries have even raised these questions. Dr. Cynthia Tynan, NMFS Northwest Fisheries Science Center, stated that "The [Caspian Tern 2000] management plan needs to substantiate the scientific justification for relocating nesting terns in the Columbia River. At present, there is no scientific evidence to support the statement that piscivorous birds 'may be one of the factors that currently limit salmonid stock recovery.'" The absence of statistics comparing salmonid returns with smolt consumption over the entire range of available data seems intentionally deceptive. The DEIS should evaluate these data and should discuss whether these hypotheses regarding the impacts of terns on salmonid populations have changed after significant salmon recovery. More importantly, the DEIS should evaluate whether these hypotheses actually are spurious, as we are suggesting.

II. The Ownership and Management of East Sand Island Must Be Resolved.

We do not understand why ownership decisions concerning East Sand Island have been deferred interminably. PSG wrote FWS that the Service should acquire and manage East Sand Island as a national wildlife refuge on September 26, 2000 — almost four years ago — and raised the issue before that in comments in 1999. In addition to supporting the largest Caspian Tern colony in the world, East Sand Island has the following seabird resources: (1) the largest Double-crested Cormorant breeding colony in North America (over 12,000 breeding pairs in 2004), (2) the largest known roosting aggregation of endangered California Brown Pelicans anywhere (nearly 11,000 counted on the island at one time), (3) one of the largest Western/Glaucous-winged Gull breeding colonies on the western coast of North America (ca. 7,000 breeding pairs), (4) an unusual estuarine breeding colony of the typically coastal nesting Brandt's Cormorant, (5) a breeding colony of Ring-billed Gulls (ca. 800 breeding pairs). This is the largest unprotected seabird colony in North America, and we find it unconscionable that FWS has done nothing to acquire it, let alone protect it. This island is well within the objectives of the National Wildlife Refuge System Management Act, and of Region 1's Regional Marine Bird Policy that was adopted by the Regional Director on November 15, 1985.

III. PSG Reluctantly Supports Modified Alternatives A/C

Alternative A would maintain the status-quo management. Alternative C would reduce the tern nesting habitat on East Sand Island from about 4.3 acres to 1.0-1.5 acres in an attempt to reduce the population there from about 9,000 pairs to about 3,000 pairs (a 60-70% reduction). In compensation, FWS would create twice as much nesting habitat elsewhere at various locations in Washington, Oregon, and California in an attempt to lure the nesting terns elsewhere. This attempted movement would be done gradually over a period of several years, although the time frame does not seem to be well-defined.

PSG has no objection in principle to dispersing the Caspian Tern colony at East Sand Island so that many of the terns breed elsewhere. It usually is healthier for a seabird population to have numerous colonies instead of a few large ones as an insurance policy against disaster. However, we do not support minimizing the current population of Caspian Terns (which have declined from a high of 14,534 pairs in 1998) if they do not actually disperse and nest elsewhere.

We would modify Alternative C by employing the principles of adaptive management. First, under no circumstances should nesting habitat on East Sand Island go below 1.5 acres. Second, if the terns do not disperse to habitat that is created elsewhere, the plan must be modified to provide additional time for habitat creation or to employ different approaches. In this regard, we believe that the current management plan in Alternative A should be the fall-back position if Alternative C does not result in the intended dispersal and nesting of Caspian Terns elsewhere.

We strongly oppose Alternative D ("Redistribution and Lethal Control of East Sand Island"), which could result in "killing up to 50 percent of breeding adult terns each year" (DEIS p. 2-6). Because more than 70% of the Pacific Coast population of Caspian Terns nests at East Sand Island, this alternative could reduce the Pacific Coast population by approximately 35%.

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Because 69% of the United States population occurs along the Pacific Coast (DEIS p. 3-6), Alternative D could reduce the entire U.S. population by over 20%. Such a reduction would be a violation of the Migratory Bird Treaty Act and a breach of the public trust.

Thank you for the opportunity to comment on the DEIS, and we will gladly provide additional comments or expertise at your request.

Sincerely,

/s/ Craig S. Harrison

Craig S. Harrison
Vice Chair for Conservation