

# Pacific Seabird Group



---

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

---

Daniel Roby, Ph.D.

Chair

104 Nash Hall  
Oregon State University  
Corvallis, Oregon 97331-3803  
541-737-1955

[Daniel.Roby@orst.edu](mailto:Daniel.Roby@orst.edu)

Craig S. Harrison

Vice Chair for Conservation  
4953 Sonoma Mountain Road  
Santa Rosa, California 95404  
202-778-2240

[charrison@hunton.com](mailto:charrison@hunton.com)

Robert H. Day, Ph.D

Chair-Elect

ABR, Inc.--Environmental Research & Services  
P.O. Box 80410  
Fairbanks, AK 99708-0410  
907-455-6777

[bday@abrinc.com](mailto:bday@abrinc.com)

5 August 2004

Maura Naughton  
Regional Seabird Program Coordinator  
U.S. Fish and Wildlife Service  
911 NE 11th  
Portland, Oregon 97232-4181

## **RE: Draft Pacific Region Seabird Conservation Plan**

Dear Maura:

On behalf of the Pacific Seabird Group (PSG), we offer the following comments on the draft Pacific Region Seabird Conservation Plan. As you know, PSG is an international, non-profit organization that was founded in 1972 to promote knowledge, study, and conservation of Pacific seabirds with a membership drawn from the entire Pacific basin, including Canada, Mexico, 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 strongly supports policies that keep common seabirds common. Collectively, we have a great deal of knowledge and experience with respect to seabird conservation in the Pacific Region. Indeed, many of our members provided technical information for this report. PSG generally supports research on all aspects of the biology of seabirds, including the basic biology of species that remain incompletely understood. With respect to the draft Regional Seabird Conservation Plan, we focus our comments on how best to apply science to seabird conservation. Because the comment period was open only during the summer field season, we probably had fewer biologists review the plan than had it been made available during the autumn.

## I. General Comments

PSG applauds FWS for developing a region-wide seabird plan. Such a plan can foster the conservation of seabirds throughout the region. The draft plan has some excellent and useful background information on the biology and general conservation issues that face seabirds in the North Pacific. We are concerned that this plan, like so many federal wildlife planning exercises, will generate a lot of interest only during the drafting and review stages and subsequently will gather dust. PSG notes that it has long supported the USFWS' Regional Marine Bird Policy that was adopted by the Regional Director on November 15, 1985. This document should be included with this plan as an appendix and mentioned in the "Current FWS Program" section (pp. vii-viii). We would hope that nothing in this plan could be construed to retreat from current regional policies to "remove all introduced predators from marine bird colonies on all National Wildlife Refuges and encourage their removal from all other colonies" or to "utilize all available programs and divisions of the Fish and Wildlife Service" to maintain all marine birds "in their natural diversity and on native habitat throughout their range" on all non-Service lands.

We believe that the draft plan can be improved in several significant respects. A seabird **plan** should go beyond cataloging past problems, summarizing the biology of each species and general statements about priorities. A seabird plan should be a road map for at least the next decade that suggests what ought to be done by government agencies and private organizations to conserve Pacific seabirds. In this regard, we think it unwise to deemphasize species listed under the Endangered Species Act because a different arm of FWS has primary authority over them (p. 5).

The plan essentially advocates millions of dollars worth of projects, none of which have an estimated cost or specific funding. We urge FWS to include specific tasks or projects that ought to be implemented and to set clear priorities with respect to how conservation dollars can best be used to protect seabirds. With a true plan, refuge managers, private conservation organizations and others who direct and marshal resources can have some idea of what high value projects can be accomplished and at what cost. For example, if FWS were to set up a skeleton infrastructure, long term monitoring projects (pp. 74-75) might be accomplished region-wide fairly cheaply by persuading local organizations and individuals to voluntarily "adopt" colonies for monitoring purposes. We understand that this is common in the United Kingdom. FWS may have intended the Goals and Objectives Section (pp. 72- 87) to provide specific projects that can be implemented, but it is too general. A detailed road map would facilitate partnering with other organizations and assist private organizations, working on their own, to secure funding to implement high priority projects. There are so many 'high' priority activities in the plan that it is hard to know how to begin to implement it. For example, the plan states that "all monitoring and inventory goals and objectives are high priority unless otherwise noted" (p. 76) but elsewhere on the same page the plan says the same thing about all management goals and objectives. We agree with many high-priority issues (e.g., eradicate rats at Palmyra Atoll, Wake Atoll, and San Miguel Island, p. 78), while others are so broad that they seem more to be a general goal than a priority action ("control domestic, feral, and introduced species such as cats, dogs, rats, red foxes and opossum near coastal seabird colonies throughout the Region," p. 78). Does FWS really mean to imply that "inventory and monitoring" is the highest priority action in the Pacific

Region (ranked first in the Executive Summary, p. vii)? PSG does not think that monitoring is more important than removing predators at colonies of highly imperiled seabirds. So many goals and objectives are summarized in the Executive Summary as “priorities” that there really are no priorities. Setting priorities requires choosing among issues and projects. This deficiency makes the draft plan unfocused and lacking clear direction.

**Conservation Classification of Seabirds** (Tables 2 and 3). PSG is concerned about the priority lists of seabirds, which do not seem to be objective. The plan must not be perceived to rank high priority species using the biases or research interests of those who prepared it. We are concerned that species that are truly highly imperiled will receive less attention if other less imperiled species also receive this moniker. It would help to make the rankings more transparent if Tables 2 and 3 included the regional and world breeding populations of each species,<sup>1</sup> the general direction of the population over an appropriate timescale for seabirds (generally at least a decade because some seabird populations fluctuate widely under natural conditions), the number of colonies for species that nest on, say, ten or fewer sites, and the percentage of the population that breeds at protected sites (e.g., state or federal parks or refuges).

It is unclear why a distinction is made between "continental"<sup>2</sup> and "regional" conservation categories. This distinction may drive what seems to be an over concern about the health of species that occur at the extreme edge of their range in the Pacific Region. It is fundamental biology that creatures at the edge of any breeding range are especially prone to population fluctuations and changes in distribution. For example, black storm-petrels may appear in Table 2 as "high concern" because the criteria focus on the fact that relatively few nest at the extreme northern edge of their range in the Channel Islands while ignoring the hundreds of thousands that breed nearby in Mexico. A similar observation might be made with respect to Xantus' murrelets, brown pelicans, elegant terns and western gull-billed terns (not all of our reviewers are in consensus on each of these species -- if a species is truly imperiled after adjusting for this possible bias its classification category should be retained). This issue should be considered with respect to Tahiti petrels, Phoenix petrels and Polynesian storm-petrels in Table 3. We think that the classifications in the plan need to be carefully reconsidered to ensure that all of us focus on the true problem species.

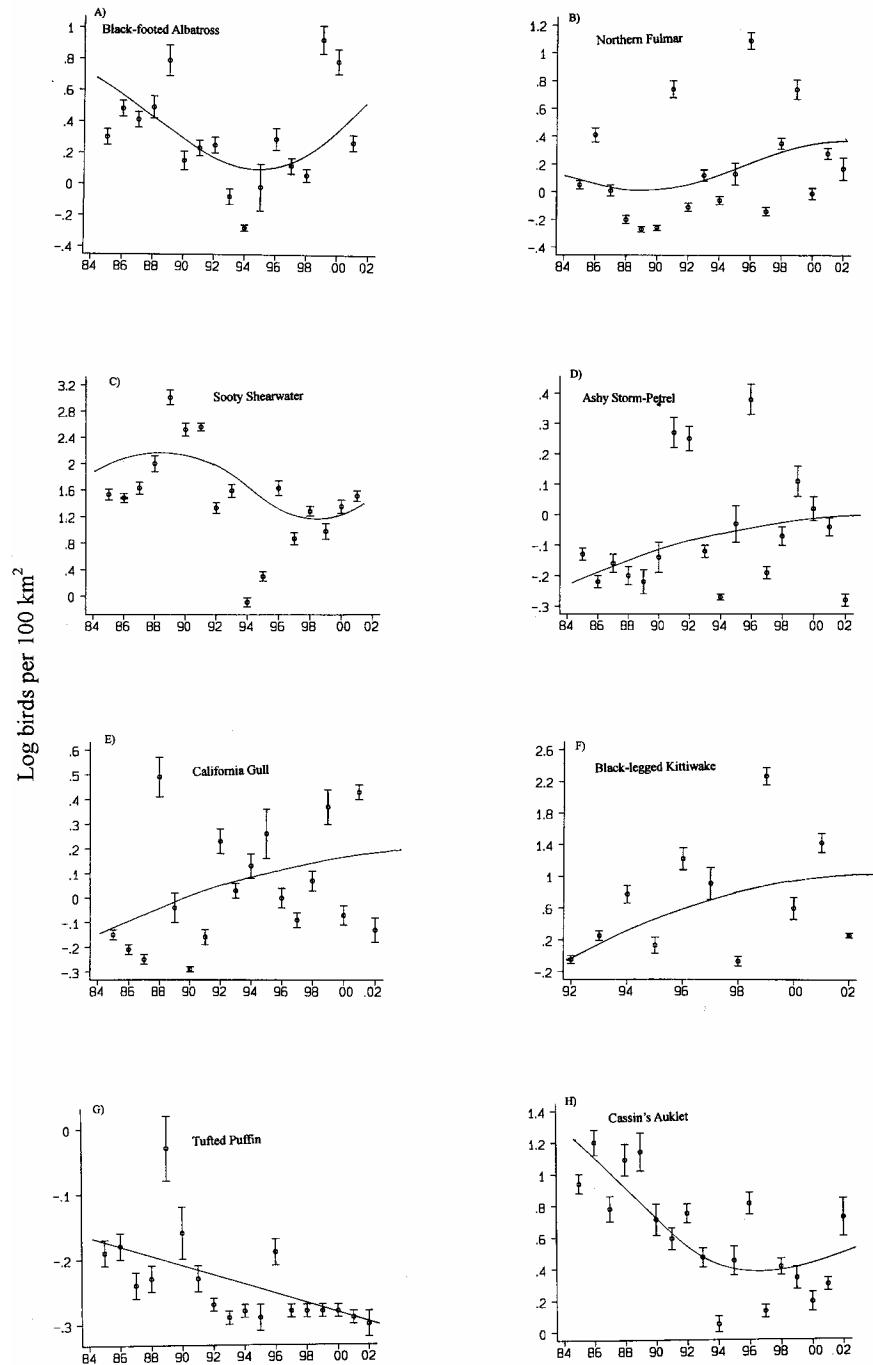
Ashy storm-petrels may not merit "highly imperiled" status. All of this species' numerous breeding islands are protected and are not clustered in a single location. Dr. David Ainley has provided the figure below which shows that the population at sea has trended upwards for at least 20 years. Dr. Ainley suggests that a negative population trend at a single colony (the Farallones) is misleading because it is based upon comparing mist-net recapture rates using taped calls in 1970s and 1990s. The 1970s study was done in complete silence while the 1990s

---

<sup>1</sup> The species accounts in the appendices inconsistently estimate individual birds and breeding pairs; breeding pairs is preferred.

<sup>2</sup> Perhaps this should be "global." What does "continental" mean with respect to birds whose entire breeding range consists of oceanic islands -- e.g., Tahiti petrel, Polynesian storm-petrel.

study was done during a period of intense gull calls. He suggests comparing capture rates in autumn when gulls are absent.



Regression analyses provided by Dr. David Ainley showing trends in various seabird species in Central California waters, 1984-2002, based on at-sea surveys.

Ms. Maura Naughton

5 August 2004

Page 5

Why are Brandt's cormorants of moderate concern regionally, but high concern continentally? The plan suggests that brown pelicans are actually only of moderate concern but elevated to "high concern" only because it is still listed as an endangered species. We believe that brown pelicans have recovered and should be delisted. Why do endangered least terns rank below threatened marbled murrelets? Does FWS believe that the least tern should be reclassified to threatened or delisted or that the marbled murrelet should be reclassified from threatened to endangered? We hope that the classifications in the plan do not reflect some sort of rivalry or turf battle between the Migratory Bird Office and Endangered Species Office. The ranking of Caspian terns seems overtly political. The largest colony in the world on East Sand Island is in imminent jeopardy if NOAA Fisheries prevails in the on-going battle concerning management of that colony as reflected in FWS' draft environmental impact statement on the management of Caspian terns (July 2004). Why are Caspian tern management issues virtually ignored in the draft plan? Why are California gulls, which seem to face no known risks, ranked of greater concern than fork-tailed storm-petrels or double-crested cormorants at both the regional or continental scale? Why are double-crested cormorants "currently not at risk" when there is a growing call for lethal control of this species which can be implemented by a recent FWS depredation order? East Sand Island now supports nearing half of the known breeding pairs of this subspecies of double-crested cormorants, and NOAA Fisheries hopes to drastically reduce the size of that colony.

In Table 3, it seems odd that short-tailed albatrosses (which makes landfalls but does not breed in the Pacific region) are merely deemed to be merely of "high concern," while FWS lists it as an endangered species. Short-tailed albatrosses may be the most "highly imperiled" species that occurs in the Pacific region if the criteria were applied even-handedly (small population, highly localized, imperiled breeding site). We are, of course, cheered by the fact that this species which was declared to be extinct in 1949 by the ornithologist Oliver Austin now numbers around 1,700 birds. A "highly imperiled" classification might assist funding projects to entice this species to diversify its colonies on such atolls as Midway, Kure, or Wake.

The "highly imperiled" classification of black-footed albatrosses does not seem to be objective. The plan says the worldwide population of black-foots is 58,000 pairs (no confidence interval reported), with about 95% (ca 55,000) in Hawaii (p. USPI-4). FWS data from the 1980s estimated black-foots in Hawaii to be 36,240 to 49,410 pairs, suggesting a very healthy increasing trend during the past few decades. FWS estimated in 2003-2004 the two largest colonies to be as follows: Laysan Island (19,500 pairs) and Midway Atoll (20,400 pairs) (p. USPI-4). FWS data from the 1980s estimated those colonies to be: Laysan Island (14,000-21,000 pairs) and Midway Atoll (6,500-7,500 pairs). The current Laysan population estimate is at the high end of the estimate 20 years ago while the Midway population has apparently tripled. It seems difficult to conclude that this species is declining rather than increasing unless we inappropriately focus on small year-to-year vicissitudes in population estimates that may be within the margin of error or simply natural fluctuations. Midway's very encouraging growth can be explained by conservation achievements such as the decommissioning of Midway Naval Air Station (including cessation of flights and runway bird control programs that killed thousands of black-foots by accident or design), the establishment of a national wildlife refuge which fostered the eradication of huge rat populations on Eastern Island, and the general

improvements in ocean management (increased regulation of fisheries; implementation of ocean dumping laws, etc.). Dr. Ainley's at-sea data also show an upward trend in central California. A more appropriate classification of this species, of course, would not imply that we should be less vigilant about by-catch issues.

We agree that Newell's shearwaters, Hawaiian petrels and Harcourt's storm-petrels should retain the "highly imperiled" classification. We are especially concerned that Newell's shearwaters, which seem to be declining based upon at-sea and radar studies, will continue to fall through the bureaucratic cracks between FWS' Migratory Bird Office and its Endangered Species Office. We urge that the plan reverse the minimalist course it has adopted with respect to seabirds listed under the Endangered Species Act (p. 5). This plan should not refer the reader to the recovery plans for endangered species but should address them fully and effectively. The recovery plan for Newell's shearwaters and Hawaiian petrels is 20 years old, out of date, was never implemented, and has done little to protect these species. Hawaii is the endangered species capital of the U.S., and endangered seabirds that do not breed on FWS-controlled lands simply do not receive much attention. We think the final plan ought to report this obvious fact. If the Migratory Bird Office is in no position to suggest how the Endangered Species Office might devote more attention to these species, it ought to at least suggest ways to marshal private resources to correct it.

**Colonies That Require Protection** (pp. 22-24). PSG agrees that most seabird colonies in the Pacific Region are probably already protected with respect to land ownership, but that there are some remaining colonies that ought to receive more protection than they currently have. The final report should contain a table of all colonies (e.g., more than 50 pairs) in the Pacific Region that lack sufficient protection. The table should identify the species that breed there and any known threats. We appreciate that FWS provided four examples on p.76 (Port of Los Angeles; Santa Ana River mouth; Chief's Island; and Wake Atoll). However, the omission of East Sand Island (largest Caspian tern colony in the world; largest double-crested cormorant colony in the region, roosting area for thousands of brown pelicans, breeding colony for many other species) is overtly political. This omission tends to undermine the intellectual integrity and legitimacy of the entire plan.

With respect to habitat, the following statement is overly simplistic and incorrect for many species: "Suitable nesting habitat is limited, but generally not a regulating mechanism for today's seabird populations" (p. 15). It wrongly implies that the following are food-limited or bycatch-limited: California least terns, Caspian terns, western gull-billed terns, elegant terns and marbled murrelets. We suspect that a large fraction of the species in the California Current area are regulated and limited by availability of suitable nesting habitat, a belief fostered by the past century of wildlife management. When nesting habitat is created or improved, populations flourish.

**Predator Control on Colonies and Former Colonies** (pp. 40-46). PSG agrees that predators and to some extent alien vegetation are problems on seabird colonies. We have worked hard for 20 years to persuade federal and state land managers to eliminate predators from colonies or former colonies. We urge FWS to take the information in the table of predator problems in

Ms. Maura Naughton

5 August 2004

Page 7

Appendix 9 and create a new table to be inserted in the main body of the plan that recommends the ten or so most important colonies in the Pacific Region where predator control projects ought to be implemented. We think the plan should be as specific as possible. For example, the draft recommends for Cassin's auklets "removal of alien mammalian predators from major breeding colonies and protection from further introductions" (p. CCS-56). Which Cassin's auklet colonies have predators and what are they? If there are none, the statement about removing them should be deleted and our focus should be on resisting introductions. From the species accounts, T'au Island in Tutuila would seem to deserve special mention in this regard, because predators there seem to be having a severe impact on Tahiti petrels and Audubon's shearwaters (both ranked highly imperiled either regionally or "continentally").

**Oil Pollution** (pp. 46-52). PSG and the general public are well aware of the catastrophic effects that oil spills can have on seabirds. The report is somewhat unclear as to what can or should be done about this issue. In many ways the situation would seem to be improving. The 1990 Oil Spill Act has tightened the requirements for shipping oil and, in many cases, has provided seabird managers with access to oil spill trust funds to undertake important projects that benefit seabirds. The International Maritime Organization now requires international vessels to have double hulls (Pacific Seabirds 30:85-86, 2003). It would be helpful for this plan to identify specifically what ought to be done in the future with regard to minimizing the problems of oil spills on seabirds. Perhaps the plan could promote a program to develop solutions for chronic oil releases along the lines of Canada's Birds Oiled At Sea program. See Weise, F. K., 2002, Seabirds and Atlantic Canada's Ship-source Oil Pollution: Impacts, Trends, and Solutions, World Wildlife Fund, Toronto; Weise, F. K. and P. Ryan, 2003, The effects of chronic marine pollution in south-east Newfoundland waters assessed through beached bird surveys 1984-1999, Marine Pollution Bulletin 46:1090-1101.

**Commercial and Recreational Fisheries** (pp. 33- 40). PSG has long advocated regulating fisheries to minimize the number of seabirds that are drowned or injured. We have worked with the American Bird Conservancy and others to comment extensively on NOAA Fishery regulations in Alaska and Hawaii in recent years. We now have been lead to believe that the situation has improved considerably. The plan should identify specifically all deficiencies in **current US** fishery regulations. It serves no **planning** purpose to focus on by-catch problems that have been solved by relatively new regulations, unless those regulations are not working. How big a problem, for example, are tribal fisheries in the Pacific Northwest? Table 6 seems to be a good summary of the fisheries. With respect to international fishing problems, which fisheries conducted by which nations affect which species of seabirds that breed in the Pacific Region? We agree that the Migratory Bird Treat Act ought to be extended to the entire 200 mile Exclusive Economic Zone (p. 60) and note that Interior's Solicitor has rendered a legal opinion agreeing with this conclusion. The plan should clarify that this act should apply to the U.S. Exclusive Economic Zone, not the high seas (the high seas are waters beyond the jurisdiction of any nation).

**Contaminants and Other Substances** (pp. 52-57). PSG agrees that certain pesticides have historically been a major problem for many seabird species. We understand that DDT, PCBs and many other substances that are known to be problems have long been banned. We agree that

persistent DDT is a concern in some areas. In the context of a future-oriented plan, what can be done about this problem other than waiting for the eventual degradation of these compounds in the general environment? For example, the plan suggests (p. 83) determining the source of organochlorines in albatrosses and storm-petrels. The plan provides no insight as to whether spending limited conservation dollars on this activity would be a low yield or a high yield activity. The plan ought to suggest what conservation management insights might be gained from, say, testing the eggs of every seabird species at every colony in the Pacific Region for a suite of pesticides and other substances. Similarly, while acknowledging that implementing its recommendations would require the participation of other federal agencies or Congress, does FWS think certain compounds now in use should be banned? If so, what are they and how are they being used? In short, the plan says that contamination is sometimes a problem, but does not provide sufficient direction to identify or solve the problem.

## **II. Other Editorial Comments**

1. The overall organization of the plan can be improved around goals, objectives, and purpose sections. The latter two should be in separate sections instead of being lumped together (pp. 3-4). It is confusing and schizophrenic that, for example, predator issues are introduced on pp. 40-46 and then discussed again with somewhat more specificity on pp. 78-80.
2. The plan would benefit from a technical edit to deal with sentence fragments, punctuation errors, sentences that should be followed by a reference but are not, typos, etc.
3. The Executive Summary should be more concise and focused and should delete footnotes.
4. Annotations in square brackets for the goals and objectives section seems to be used inconsistently (e.g., preamble to section says that all are high priority unless otherwise noted but then some are also marked with 'I' as a redundant notation of high priority, while none in this section are denoted lower priority.)
5. Dr. Ainley recommends that seabirds be divided into three groups instead of two: coastal (roost at night on land: pelicans, cormorants, most gulls), neritic (occur mainly over continental shelf but remain at sea at night if not breeding: alcids, shearwaters), and pelagic (occur mainly off the shelf, over slope: storm-petrels, albatross). Such a division would better reflect the ecology and management of seabirds. For example, neritic species are affected by oil spills, not coastal species or pelagic species.
6. The purpose of Table 4 is unclear and seems to offer no perspective useful in conservation or management.
7. Another sub-section "Introduced/Non-Native Species" (p 40) should be added that discusses general problems and issues with invasive species control. Among these issues are incomplete removal and associated monitoring/costs during follow-up activities; ecological effects of

Ms. Maura Naughton

5 August 2004

Page 9

removing one species once invasive species have become established (prey switching); conflicts with animal rights groups; and the importance of communication with the general public.

8. Newell's shearwaters on Kauai have been monitored since the early 1980s by the "Save Our Shearwaters" (SOS) program. Recent radar surveys on Kauai have validated the trends exhibited by Newell's shearwaters as shown in the SOS data (pp. 66-68).

9. The wording of Objective 4b makes it appear that this regional plan includes international objectives ('control or eradicate introduced species at seabird colonies in Canada'). We suggest revising this to suggest support for control and eradication of introduced species in Canada, Mexico and elsewhere.

10. The control of ironwood at Midway (p. 77) should not destroy the trees that provide nest sites for one of the largest colonies of black noddies and white terns on earth. Midway is a highly disturbed atoll that will never again be "natural" without very expensive and questionable restoration efforts. We do not believe that seabird conservation would be advanced by removing all non-native vegetation and soil to advance some ideologically pure view of wildlife management that ultimately devastates seabird populations.

Thank you for the opportunity to comment on this important plan. It is difficult to thoroughly review such a massive document, and we hope that these comments will be helpful. We will gladly provide further assistance as you proceed to complete the plan.

Sincerely,

/s/ *Craig S. Harrison*

Craig S. Harrison  
Vice Chair for Conservation