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## Pacific Seabird Group



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

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October 5, 1994

Molly McCammon  
Exxon Valdez Oil Spill Trustee Council  
645 G Street, Suite 401  
Anchorage, Alaska 99501-3451

### Re: Comments on Draft 1995 Work Plan

Dear Ms. McCammon:

This letter contains the Pacific Seabird Group's (PSG) comments on the draft 1995 Work Plan (August 1994). PSG is an international organization that was founded in 1972 to promote knowledge, study and conservation of Pacific seabirds. PSG draws its members from the entire Pacific Basin, and includes biologists who have research interests in Pacific seabirds, state and federal officials who manage seabird populations and refuges, and individuals with interests in marine conservation. PSG has hosted symposia on the biology and management of virtually every seabird species affected by the Exxon Valdez oil spill, and has sponsored symposia on the effects of the spill on seabirds.

#### I. Project 95038 (Symposium on Seabird Restoration)

We acknowledge our conflict of interest in viewing this symposium as PSG's highest priority in the 1995 Work Plan. Our proposed symposium is NOT designed to be a "low maintenance" meeting at which authors talk at one another, each reading to others a paper that may or may not be useful to seabird restoration. We envision a highly interactive meeting involving plenary sessions and sub-groups. We hope that the attendees will either reach consensus or form majority and minority views on the important issues and strategies for Alaskan seabird restoration. This symposium would allow North American biologists to discuss and debate seabird restoration and strategies in a focused environment for the first time. It will sponsor scientists from

U.K., New Zealand, Australia, Africa, Canada and Latin America who can provide North Americans with their experiences with seabird restoration.

PSG responds here to questions that have been raised regarding this proposal.

1. Could the symposium be held in conjunction with an annual PSG meeting? We believe that the symposium should be held in Alaska to attract local participants and interested observers who might ordinarily not attend a PSG meeting. PSG usually schedules its annual meeting between mid-January and mid-February. During the past 22 years, PSG's Executive Council has considered meeting in Alaska on several occasions. The Executive Council has always rejected that option because it believes that a winter meeting in Alaska would be poorly-attended. More recently, an Alaska meeting would interfere with our work on the conservation of marbled murrelets in the Pacific Northwest and our conservation initiatives in Baja California. We designed the proposal assuming that the symposium would be held in Alaska and to insure that participants could devote their full attention to this single issue. We will consider holding the symposium a few days before an annual PSG meeting if the Trustee Council prefers that PSG hold the symposium outside Alaska.

2. Can this be done cheaper?

Travel. Our estimate includes air fare, lodging and food for 25 scientists to participate in a 3-day symposium in Alaska discussing seabird restoration. Depending on actual rather than estimated expenses for travel (e.g., air fares are higher or lower than assumed), the number of sponsored scientists will vary. We assume that three of the scientists live in Anchorage, for whom no air fares will be needed.

Symposium (costs in \$1,000):

Room and board (25 X \$470)	\$11.8
Beyond North America air fares (8 X \$1,000)	\$8.0
West coast air fares (inc. Juneau, w.Canada) (8 X \$500)	\$4.0
East coast air fares (inc. eastern Canada) (6 X \$800)	\$4.8
Sub total	\$28.6

P.I. Travel to Anchorage [one trip in FY96]:<sup>1/</sup>

Air fare (2 X \$500)	\$1.0
Per diem (2 X \$200)	\$0.4
Sub total	\$1.4

Total	\$30.0
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<sup>1/</sup> The time and travel expense for these meetings is a requirement of the Trustee Council and not truly part of our proposal.

Contract Staff. This work will be conducted entirely by sub-contractors because PSG has no employees. We envision sub-contracts with at least two and possibly three highly qualified seabird biologists who will organize and run the symposium, conduct research and literature reviews, prepare discussion points, issue papers, conduct international conference calls and produce a final report. PSG might also hire a facilitator for the symposium. This assumes \$35 K in contract expenses during FY95 and \$9 K in contract expenses in FY96 to write a final report. At contract rates used by biological consultants to EVOS, this works out to less than 0.5 man-years, and assumes that sub-contractors will provide their own office space, equipment, and other overhead. We believe our proposal is parsimonious compared to most agency proposals.

3. Why not publish the proceedings? The proposal includes the preparation of a final report and left publication issues open. PSG has a distinguished record of professional publication,<sup>2/</sup> and we believe that this material would be appropriate for Biological Conservation, Restoration Ecology, PSG's own technical publication series, or other outlets. We believe that publication of the proceedings will require additional staff work to motivate authors to produce in a timely manner, direct the writing of papers to synthesize the material, provide honoraria and cover direct publication costs. We can negotiate with the Trustee Council regarding additional costs to publish the symposium.

## II. Project 95041 (Introduced Predator Removal: Follow-up)

We strongly support a follow-up of FWS' efforts to remove introduced predators from Chernabura and Simeonof Islands during 1994. As we have stated repeatedly, the best means to restore Alaska's seabird populations would be to remove rats, foxes and other alien creatures from colonies and former colonies. The Canadian Wildlife Service has adopted this approach with regard to using oil spill restoration funds in British Columbia.

PSG is concerned that the Trustee Council has not extended this project for 1995 and beyond to include other islands. PSG reiterates its strong objection to limiting seabird restoration to the geographic area that the Trustee Council has identified as the spill area. We believe that far more effort and funds should be directed toward compensatory restoration of seabirds in areas that may be far from the spill area.

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<sup>2/</sup> Attachment 1 indicates that PSG has published 10 symposia in some of the most distinguished ornithological publications, and others are in planning stages.

### III. Injured Seabirds

PSG expresses once again its objections to the Trustee Council's simplistic list of injured seabirds in the Summary of the 1995 Work Plan (Table 1). The overall goal of the draft Restoration Plan (we have not yet seen the final) is to restore all injured resources and services.<sup>3/</sup> We agree with the assessment of the Trustee Council that common murrelets, harlequin ducks, marbled murrelets and pigeon guillemots do not seem to be recovering and need restoration efforts.

We strongly believe, however, that the Trustee Council should also restore other bird species. We suggested with respect to the draft Restoration Plan that the Trustee Council add the categories "other seabirds" and "other sea ducks" to its list of "recovery unknown" resources.<sup>4/</sup> The draft Restoration Plan acknowledges that the current population status is "unknown" for the following seabirds that were collected dead in 1989: yellow-billed, Pacific, red-throated loon; red-necked and horned grebe; northern fulmar; sooty and short-tailed shearwater; double-crested, pelagic and red-faced cormorant; herring and mew gull; Arctic and Aleutian tern; Kittlitz's and ancient murrelet; Cassin's, least, parakeet and rhinoceros auklet; and horned and tufted puffin.<sup>5/</sup> The decline after the oil spill "varies by species" and cormorant, Arctic tern and tufted puffin clearly declined.<sup>6/</sup> The draft Restoration Plan also acknowledges that the current population status is "unknown" for the following species of sea ducks that were collected dead in 1989: Steller's, king and common eider; white-winged, surf and black scoter; oldsquaw; bufflehead; common and Barrow's goldeneye; and common and red-breasted merganser.<sup>7/</sup> Moreover, the Trustee Council entirely ignores 31 species of shorebirds, nine of which nest in and seven of which winter in the spill area.

We raised this issue repeatedly in our earlier comments and the DEIS (Table 1-1) concedes these injuries.<sup>8/</sup> The final EIS

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<sup>3/</sup> Draft Restoration Plan, p. 25.

<sup>4/</sup> Restoration Plan, p. 30.

<sup>5/</sup> Draft Restoration Plan, Appendix B, p. B-41.

<sup>6/</sup> Appendix B, p. B-41.

<sup>7/</sup> Appendix B, p. B-42.

<sup>8/</sup> Letter to EVOS Trustee Council from PSG (August 6, 1993); PSG Comments of Draft 1994 Work Plan (January 21, 1994); PSG Comments on Draft Restoration Plan and Draft EIS (July 29, 1994).

states that this issue will be addressed in the Restoration Plan.<sup>9/</sup> According to the federal estimates published in 56 Federal Register 14687 (April 11, 1991), these "other" seabirds and "other sea ducks" totalled 14,000 dead birds. The Trustee Council estimates that "in general, the number of dead birds recovered probably represents only 10-15% of the total numbers of individuals killed."<sup>10/</sup> Simple mathematics indicates these losses were 90,000 to 140,000 birds, which the 1995 Work Plan continues to ignore.

As a reference point for this magnitude of injury to seabirds, the federal government recently settled the Apex Houston case in central California concerning a spill that may have damaged about 4,200 seabirds (the actual number being an unknown multiple of 4,200). The insurance company paid about \$6 million to settle this claim. If Alaska seabirds are worth as much as California seabirds, the Trustee Council should spend at least \$18 million of the trust funds to restore "other seabirds" and "other sea ducks."

#### IV. Agencies Should Not Be Funded for Work that they Normally Conduct

We agree with the Trustee Council's proposed Restoration Policy No. 9, which prohibits Government agencies from receiving restoration funds for work that they normally conduct. Apparently, Department of the Interior solicitors invoked this policy to assign one of PSG's proposals, Project No. 95042 (Five-year Plan to Remove Predators from Seabird Colonies), to category 4 because this work "is part of normal agency responsibility."<sup>11/</sup> PSG has identified numerous federal and state proposed projects in the 1995 Work Plan that are part of normal agency responsibility.

FWS' Project 95159 (Survey of Marine Seabirds and Sea Otters) proposes to spend \$427,000 on activities that have been part of FWS' normal agency responsibilities since the agency began. We reach the same conclusion with regard to ADNR's Project 95007A (Monitoring Archeological Sites for Looting); the North Gulf Oceanic Society's Project 95013 (Killer Whale Monitoring); NOAA's Project 95092 (Recovery Monitoring of Killer Whales); NOAA's Project 95052 (Distribution, Abundance and Dispersal of Forage Fish); and ADF&G's Project No. 95064 (Monitoring Harbor Seals). PSG fails to see how these projects are any less "normal agency responsibility" than creating a plan

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<sup>9/</sup> FEIS, chapter 5 p. 55.

<sup>10/</sup> Draft Restoration Plan, p. B-16.

<sup>11/</sup> Draft FY 95 Work Plan Summary, A-16.

to remove predators from seabird colonies, which would help implement the most effective means known to restore seabird populations.

We noted in our comments on the draft Restoration plan that monitoring is an area where the Trustee Council must make special efforts to guard against violating Policy No. 9. The Migratory Bird Treaty Act, Marine Mammal Protection Act, Magnuson Fishery Conservation and Management Act and other authorities assign legal responsibility to survey and monitor seabirds, marine mammals and fish to federal and state agencies. We can identify projects along these lines that have been conducted by federal and state agencies in PWS in the past. These projects should not be funded by the Trustee Council unless it has decided not to adopt Restoration Policy No. 9.

**V. Work on Damaged Seabirds that Are Not Recovering**

PSG generally supports projects that focus on birds that apparently are not recovering, including common murres (Projects 95021 and 95039), harlequin ducks (Projects 95005 and 95427), marbled murrelets (Project 95031), pigeon guillemots (Projects 95025C and 94173) and bald eagles (Projects 95029 and 95030).

Because bird populations may be depressed due to disruptions in food supplies, we support studies of the influence of forage fish and other prey on injured species (Projects 95019, 95023, 95025A, 95025F, 95033, 95118-BAA). We are especially pleased that the Trustee Council is finally focusing on sea ducks.

We agree with the comments in the draft work plan that many of the projects are similar, and should be coordinated and perhaps consolidated to insure the most effective use of the trust fund.

PSG thanks the Trustee Council for this opportunity to lend its expertise and views on these important issues.

Sincerely,

*Craig S. Ham*

Enclosure

# A brief chronology of the Pacific Seabird Group

Annual meeting	Symposia	Executive Council Chair
1973-74 Bolinas, CA	Organizational meeting	J. Michael Scott
1974-75 Seattle, WA	Biology of the Alcids	J. Michael Scott
1975-76 Monterey, CA	Seabird Conservation on the California Coast	George Divoky
1976-77 Monterey, CA	Shorebirds in the Marine Environment*	David Manuwal
1977-78 Victoria, BC	Black-legged Kittiwake Reproduction	Dan Anderson
1978-79 Monterey, CA	Food Availability and Reproductive Success	
	Investigator Bias in Assessing Seabird Nesting Success	
1979-80 Monterey, CA		Ralph Schreiber
1980-81 Tucson, AZ		Ralph Schreiber
1981-82 Seattle, WA		Kees Vermeer
1982-83 Honolulu, HI	Feeding Ecology of Marine Waterfowl and Pelagic Birds*	Harry Ohlendorf
	Seabird-Commercial Fisheries Interactions*	
	Tropical Seabirds*	
	Human Disturbance at Seabird Colonies	
1983-84 Monterey, CA	Biology of Terns	Craig Harrison
1984-85 Long Beach, CA	Biology of Gulls*	Judith Hand
1985-86 San Francisco, CA	Bird Use of Man-Made vs. Natural Wetlands*	Dan Anderson
	Biology of Seabirds in the Gulf of California	
1986-87 La Paz, Mexico	Alcids at Sea*	Lora Leschner
1987-88 Monterey, CA	Marbled Murrelet Management*	Ken Briggs
1988-89 Washington, DC	Wading-Bird Reproduction in 1988	Scott Hatch
1989-90 Victoria, BC	Status, Ecology, and Conservation of Marine Birds of the North Pacific*	Michael Fry
1990-91 Monterey, CA		
1991-92 Charleston, OR		Doug Siegel-Causey
1992-93 Seattle, WA		Malcolm Coulter
		Palmer Sekora

*Exxon Valdez*

Marbled Murrelets\*

\* Published symposium