

## **USFWS Briefing on Proposed Eradication of House Mice from the Farallon Islands**

**Thursday, 10 February 2011, 10:00-12:30; Federal Aid Conference Room  
USFWS Region 8 Headquarters, 2800 Cottage Way, Sacramento, CA**

### **Agenda**

10:00-10:20 Introductions

10:20-11:20 Presentation on proposed project

(Gerry McChesney, Greg Howald, Brad Keitt, Dan Grout & Gabrielle Feldman)

11:30-12:30 Questions and Discussion; Topics include:

- NEPA process: EA or EIS?
- Alternatives to be included
- Timelines for NEPA document review and who will need to review
- Permits
- Communication Plan, Other issues

### **Attendance list:**

#### **USFWS**

Gerry McChesney – Manager, Farallon NWR

Mendel Stewart – Manager, San Francisco Bay NWRC

Doug Cordell – Public Affairs Officer, San Francisco Bay NWRC Manager

Marge Kolar – Assistant Regional Director, Refuges

David Linehan – Refuge Supervisor

Doug Damberg – Assistant Refuge Supervisor

Janet Whitlock – Chief, NRDA Branch USFWS and Luckenbach Trustee Council

Patricia Roberson – Regional NEPA Coordinator

Jennifer Brown – Office of Migratory Birds, Washington D.C.

Barbara Goodyear - Office of the Solicitor (by phone)

Anan Raymond – Cultural Resources (by phone)

Marco Buske – Integrated Pest Management Specialist (by phone)

Nancy Golden – Division of Environmental Quality (Region 9, Arlington, VA; by phone)

*(Chuck McKinley – Office of the Solicitor - did not attend)*

#### **Island Conservation**

Dan Grout – Project Manager

Brad Keitt – Director of Conservation

Greg Howald – Director, North American Branch

Gabrielle Feldman - Environmental Compliance Specialist

#### **PRBO Conservation Science**

Russ Bradley – Biologist, Farallon Program Manager

**\*Note:** *Marco Buske, Barbara Goodyear, from USFWS Solicitor's Office, and Nancy Golden were dropped from the conference call during the presentation, but Barbara Goodyear called back in to participate in the post-presentation discussion.*

## Meeting Minutes: Feb. 10 2011 Discussion Following Power-point Presentation

- **Housing Issues** – Are the houses going to be a limiting factor for the project?
- **They will require special treatment, but preliminary assessments are that the obstacles can be overcome. Removing food available to mice is the main concern.**
- **Major PR Question: Why is removing mice needed if there is no proof of mouse predation on ash storm petrels?** We need to show a biological need for the project.
- The action is essential to reduce the impact to ash storm petrels from a burrowing owl population that is subsidized by invasive mice, but then prey on petrels (hyper-predation).
- Cameras in burrows (hard to do) could show some mouse predation on chicks and eggs.
- We need to address the hyperpredation issue clearly in our communications plan elements.
- EA was done for Luckenbach funding of project – no negative comments at that time
- Owls would need to be translocated off the island; how far away to keep from returning?
- We must ensure that the benefit to petrels and ecosystem outweighs the costs/risks
- Need to stress that better management for ash storm petrels is a driving force here
- PRBO has 40 years of data and they indicate that there is a need to eradicate mice
- Ecosystem restoration is the overall issue – we expect more benefits from mouse eradication than just recovery of ash storm petrels
- Rational has to do with the Organic Act to conserve species, FWS policy and the reason why the Refuge was created.
- Why eradicate now? (after all these years of mice being there) – Effective rodent eradication methods have only developed in the last few decades; control is not the answer
- PRBO values eradication to reduce hyper-predation and positive improvements to the refuge. There is a secondary level of restoration that is needed. Mouse density is very high.
- **Communications will need to be very proactive and get the message out clearly**
- **EA vs. EIS**  
**EA was original plan, but in developing it thus far, a number of issues arose:**
- It is now known that large numbers of gulls will eat bait pellets if no hazing is done
- Some gulls are likely to die even with hazing and some could die on the mainland
- Significant impacts on the human environment are possible (cultural and/or natural)
- We won't be able to protect every gull from consuming bait pellets
- Barbara (Solicitor's Office): Any lawsuit will be in Northern California, judges are very liberal in this area; standard of review of EA's is such that all a plaintiff has to do is show that there are substantial questions as to whether there is potential for significant impacts. If we don't have enough science to back up non-significance it is best to do an EIS. An EA will be almost as long as an EIS; the only difference is a public meeting timelines and getting notices into the Federal Register. PR has already written up most of the NOI.
- What is "significant"? Would the take of several hundred gulls be significant? That is where the dispute is over science. Indirect take of 250 gulls may not be significant; but the plaintiff could get an expert to say the reverse, and the result would be a delay for project
- Significance is completely subjective; it would be very easy to have a judge force an EIS.
- We have to prove that we can minimize the impacts to gulls to go forward with an EA.
- **For all the reasons discussed, it was unanimous that an EIS is the way to proceed.**

### Funding of an EIS

- **Is there an added cost with going with an EIS?**
- Yes, since going with an EIS will delay implementation one year, until the fall of 2012.
- **JW stated if we get her a revised budget we may be able to receive full funding from NPFC-Luckenbach, as the NPFC was committed to fully funding this project.** Showing that we have secured other funding from other sources (CCC-\$150,000) may improve the chances of securing additional funding from NPFC for the Farallon project.

### Action Alternatives Discussion

- Alternative D ("Haze and Phase") might require the MMPA to do their own EA for IHA.
- It took 15-18 months for PRBO to get their Incidental Harassment Authorization.
- **Should the Bait Station (now Alternative C) be dismissed it from consideration?**
- It's not really a feasible (likely to succeed) from the mouse eradication perspective, as it leaves large areas of aerial baiting where mice could move into from bait station areas and find refuge in after aerial bait is gone, precluding a successful eradication effort.
- It still has a major aerial component anyway...most is still aerial, in fact.
- The amount of disturbance to habitat and birds makes it fairly infeasible regardless.
- The use of stations in Wilderness Area an issue. Solicitor's office adds that there was a recent 9th Circuit Court Case of USFWS getting sued for not adequately justifying why guzzlers were necessary in a Wilderness Area in AZ for helping bighorn #s, as other techniques were possible (less hunting etc.). FWS lost because they didn't adequately prove that the structures were necessary to achieve the wilderness purposes.
- PRBO – level of disturbance from bait station operation over the entire island will be so dramatic and possibly be worse than leaving mice on the islands.
- **The unanimous decision was to move Bait Station Alt. C to the Dismissed Section.**

### Alternative Rodenticides Discussion: Are any others effective?

- While 1<sup>st</sup> generation anticoagulants can be feasible for rats in some island situations, they are not feasible for mice on this island because they would require many more times that amount of bait ingestion than a 2<sup>nd</sup> generation rodenticide like brodifacoum.
- Brodifacoum vs. diphacinone has been debated at length within the FWS recently. A few in HI believe we should use diphacinone or wait until a better (less toxic to non-targets) alternative is developed. Most others believe we have too many islands to eradicate invasives from, that extinctions and habitat/ecosystem degradation will occur without eradications soon, and that we have to move forward with the best available science and techniques available to us now. Short-term risks to non-targets are usually far outweighed by the long-term benefit to all native species from eradication efforts. Brodifacoum is the tool that is most likely to eradicate, and no other feasible alternatives are currently ready for use, in development or even close to registration presently.
- Diphacinone has not been proven to be very effective at eradicating rodents from islands.
- USFWS in Hawaii recently requested that the 2 diphacinone alternatives be pulled from the Palmyra EIS due to the low likelihood of success compared to brodifacoum.
- PRBO: By waiting for a better anticoagulant, there could likely be ~200 more ashy storm petrel deaths on the Farallones.

- **Decision: Continue with brodifacoum, but develop the justification over diphacinone and others more in the NEPA document, as was done at length in Palmyra EIS. The EIS should include a discussion of lessons learned from the Rat Island program.**

**EIS Review, Permitting**

- Who needs to review the EIS as a cooperating Agency? Give FWS 45 days for review.
- Barbara from the Solicitor's office – can discuss any specific questions when they arise.
- Patricia Roberson will coordinate the EIS review for USFWS with Gerry McChesney
- **Janet Whitlock** from USFWS **will check about CZMA consistency**, as they (NPFC) did on already for Luckenbach funding of Farallones...perhaps this is enough?
- Jennifer Brown from MBTA: Special purpose permits can take 45 days plus to issue because of the large backlog of work on her desk.
- Gulf of the Farallones Marine Sanctuary – Managers permit needed- FWS will brief them
- NMFS for ESA section 7 and MMPA – IHA: will need to initiate ASAP
- **GH: FIFRA registration** – bait not registered now in California – USDA/EPA will have to apply to state Cal DPR to register – GH will initiate conversation tomorrow with Dept. of Pesticide Regulation and brief us on the results of his discussion with Cal DPR.
- Marge Kolar (ARD): USFWS usually applies for state permits
- Look at the Coast Guard to see if we need a permit for MPA boat access
- **Public Scoping Meeting:** Although it's not a requirement, it is probably a good idea in order to identify issues and people/groups interested. Will look at scheduling it once the NEPA timeline is revised next week; will require Communications Plan be done.
- **It is critical that someone at USFWS be appointed to shepherd the EIS through the internal FWS review periods and NEPA permit processes (less reactive, and more proactive timeline management). This will require dedicated time from key FWS individuals throughout the process.**

**Additional items for individual follow-up discussions afterwards:**

Revised NEPA (EIS) timeline and budget – to be developed by IC with USFWS & PRBO input

Supplemental budget needs to be developed, and request to be put before Luckenbach NPFC

Discussion of a fall 2011 gull hazing trial; If/how to coordinate/contract with USDA? Funds?

Discuss and plan any additional pre-eradication surveys for invertebrates and salamanders

Review and revisions to contracted Draft Gull Risk Analysis Model to be done ASAP