United States Department of the Interior

FISH AND WILDLIFE SERVICE
San Francisco Bay National Wildlife Refuge Complex
9500 Thornton Avenue
Newark, California 94560

January 9, 2008

Blue Ribbon Task Force
Marine Life Protection Act Initiative
c/o 1416 Ninth St.
Sacramento, CA
MLPAComments@resources.ca.gov

RE: Marine Protected Areas around the Farallon National Wildlife Refuge

Dear Chair Golding and Members of the Blue Ribbon Task Force,

I am writing on behalf of the U.S. Fish and Wildlife Service (USFWS) concerning proposals and potential adoption of new marine protected areas around the Farallon Islands. The Farallon Islands are managed by USFWS as the Farallon National Wildlife Refuge (Farallon NWR). This refuge was first established in 1909 as a reserve and breeding ground for native birds. Prior to human exploitation, the Farallon Islands hosted breeding colonies of close to 1,000,000 seabirds and hundreds of thousands of marine mammals. In the 19th century, large-scale harvesting of fur seals, sea lions, and elephant seals, as well as the eggs of Common Murres, led to complete or near complete extirpation of many species from the islands. An important objective of the Farallon NWR is to restore the historic abundance of wildlife and protect ecosystems. With conservation efforts and the protection afforded by the refuge, most of these species have returned to the islands and increased in numbers.

Currently, the Farallon NWR hosts the largest breeding colony of seabirds in the contiguous United States, with 12 species totaling over 250,000 birds. Three species have their largest colonies in the world here: ashy storm-petrel, Brandt's cormorant,and Western gull. Five species of pinnipeds occur, including the federally threatened Steller Sea Lion. Northern fur seal, the most numerous breeding pinniped before being extirpated by hunting, recently began breeding on the South Farallon Islands after an absence of over 150 years.

Despite the many positive strides made over the last several decades, populations of certain island species are still declining or depleted for various reasons, and the USFWS is constantly challenged to find better ways to protect and enhance the natural resources of this unique island ecosystem. For example, Steller sea lions have declined dramatically and produce few pups on the islands anymore. Common murres populations have rebounded in recent years, but numbers remain well below the half-million or more estimated from pre-exploitation times. Pelagic cormorants, and Cassin's auklets are undergoing long-term declines that appear to be caused by reductions in their forage base.

Some of the threats that Farallon seabirds and pinnipeds face is from human disturbance, such as boats that approach the islands too closely, and

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reduction of their forage base. Important prey species include several species of fish (mostly juveniles; including rockfish, anchovy, sardine, several species of flatfish, lingcod, cottids, salmonids, etc.), squid, and euphausiids. Juvenile rockfish are the favored prey of several species of seabirds, but these have largely disappeared from seabird diets in recent years.

The Refuge has taken many actions to minimize human disturbance on the islands including restricting public access, limiting the number of field station personnel, and closing off most of the island to any human activity, including research. However, protection of wildlife from off-island activities requires the cooperation of myriad agencies, organizations, and the public. The California MLPA process has the valuable potential to address some of the factors affecting Farallon resources and to provide added protection to this incredibly important ecosystem.

The 300-foot seasonal closure around many sensitive areas of the islands, established by the Farallon State Marine Conservation Area (FSMCA) in 1991, helped to protect Farallon Islands' seabirds and pinnipeds from boat disturbances. We support, at a minimum, continuing these regulations. We documented a substantial reduction in the number of boat-related wildlife disturbances following this closure. For example, thirteen incidents of boats flushing seabirds/pinnipeds were recorded in each of years 1989 and 1990, compared with one to four boat-caused flushing events documented annually between 2003 and 2007. Steller sea lions abandoned their pupping area in Sea Lion Cove in the late 80s, possibly due to boat disturbance. A Steller Sea pupping event observed in Sea Lion Cove during 2007 may be the first sign that this threatened species is returning to their former pupping site following reduced boat disturbance.

Expanded closures would better protect sensitive areas and species not addressed in the current FSMCA regulations as well as improve enforcement (see enclosures 1-8). For example, current seasonal closures do not protect: 1) the northeast side of Southeast Farallon Island, where some of the largest concentrations of breeding seabirds occur; 2) Saddle Rock, a common murre breeding area and former Steller sea lion pupping area; 3) the southwest portion of the South Farallon Islands (Mirounga Bay), an important seal and sea lion area; 4) the east side of Southeast Farallon Island; and 5) the leeward (east) side of North Farallon Islands. On the south and east portions of Southeast Farallon Island, seabirds are spreading and re-colonizing vacant habitats. By extending the closure area to include the entire South Farallon Islands, all natural resources can be better protected from boat-related disturbances. This should also eliminate confusion over the boundaries of existing closures.

Consideration should also be given to changing the seasonal closure to a year-round closure and to extending the closure distance. Many Farallon species are present year-round, or nearly so, and are sensitive to disturbance as long as they are there. For example, most of the pinniped species are present all year, including the threatened Steller sea lion. Elephant seals breed in the winter months. Peak numbers (1,000- 4,000) of the federally endangered brown pelican occur between August and November. After fledging chicks in July and August, common murres begin returning to the breeding areas in late October and frequently land on breeding colony sites thereafter.

Closure distances greater than 300 feet would add additional protections from boat disturbance. For example, USFWS monitoring data of nearshore central California seabird colonies suggests that disturbance is nearly eliminated at distances of $\geq$ 1,000 feet. Another study at Three Arch

Rocks National Wildlife Refuge in Oregon showed that most disturbances occurred within 500 feet, leading to a 500-foot closure there. For the threatened Steller sea lion, critical habitat designated by the National Oceanic and Atmospheric Administration includes all state and federal waters within 3,000 feet of major colonies, including the South Farallon Islands; special management of these areas is recommended.

While we would support extending the 300 foot closure distance off the South Farallon Islands, we also recognize the need to provide closer approach to the islands for the purposes of wildlife viewing, anchoring, and other safety reasons. In the draft Farallon NWR Comprehensive Conservation Plan, one major goal is to provide visitor viewing from boats of this unique location. Thus, closures will need to incorporate these uses, and for refuge management and research at the South Farallon Islands. At the more remote and exposed North Farallon Islands, closer approach by boats likely has more damaging impacts. At these small islands, we strongly support a closure distance of 1,000 feet to protect Steller sea lions and seabirds. We suggest a permitting process for boats needing access to the closures for purposes consistent with the Marine Life Protection Act.

Protections from fishery extraction would also likely benefit Farallon seabirds and marine mammals. At-sea surveys have shown high densities of animals across a broad zone in all directions from the Farallon Islands. To provide adequate protection to forage base, MPAs would need to include the full depth range. and as much of the state waters as possible near the islands.

In summary, we support:

- Continuing (at a minimum), and expanding, the Farallon State Marine Conservation Area closures to protect Farallon seabirds and marine mammals.
    - Extend the 300' closure to include the entire area around the North and South Farallon Islands;
    - Extend closure from a seasonal to year-round;
    - Extend closure distance to 1,000 feet around the North Farallon Islands; and
    - Extend closure distance at the South Farallon Islands while still maintaining quality wildlife viewing opportunities.
- Establishment of broader MPAs that extend to state waters limit around the Farallon Islands to protect and promote a more abundant forage base for Farallon seabirds and marine mammals.

To assist the Blue Ribbon Task Force, Regional Stakeholders Group, Scientific Advisory Team and others, we have included maps of seabird and marine mammal distribution on the South Farallon Islands. If there is anything else we can provide to assist you, please contact me at (510) 792-0222 or joelle_buffa@fws.gov. Thank you for your time, efforts, and consideration.

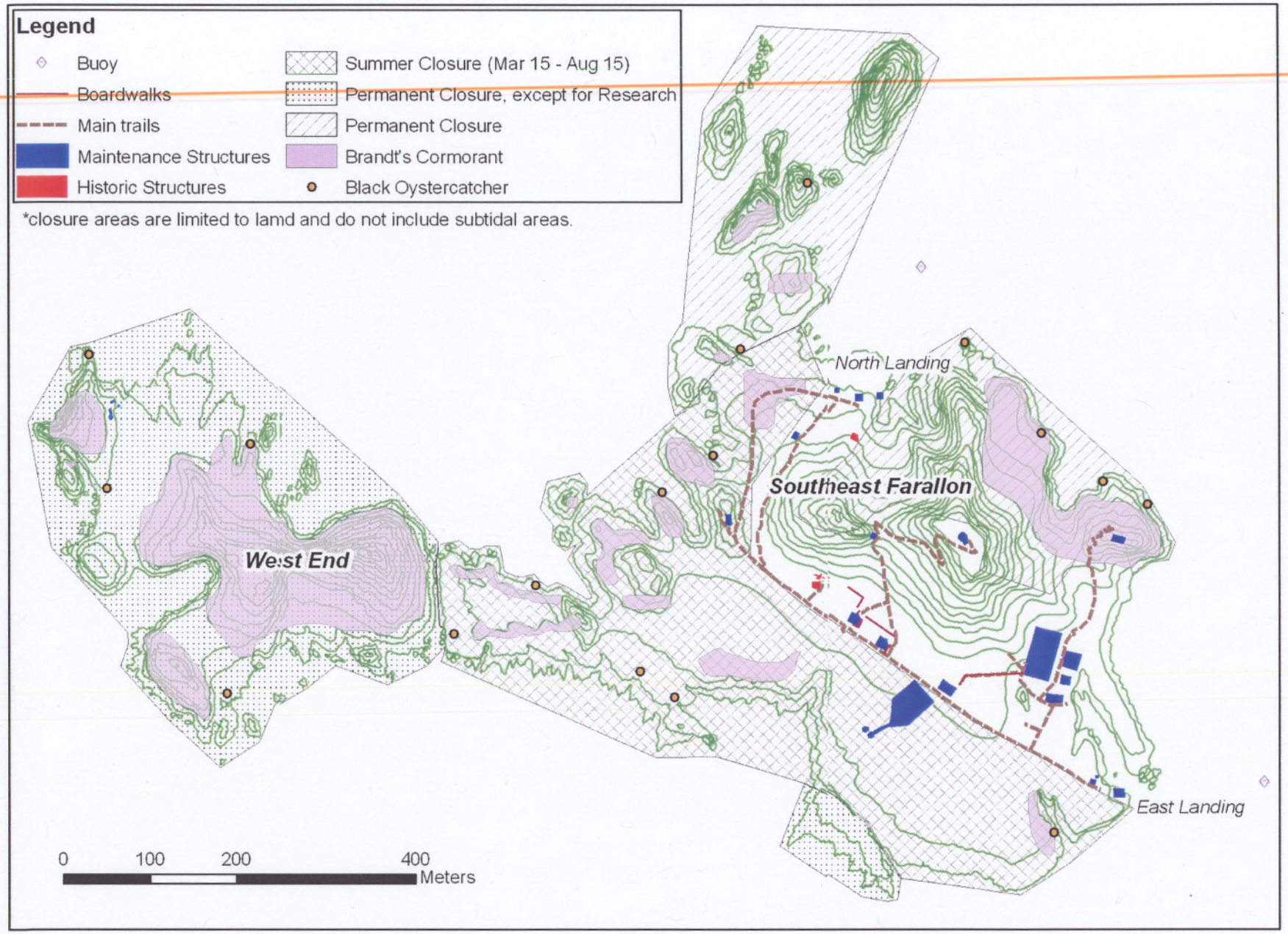
Sincerely,

Joelle Buffa

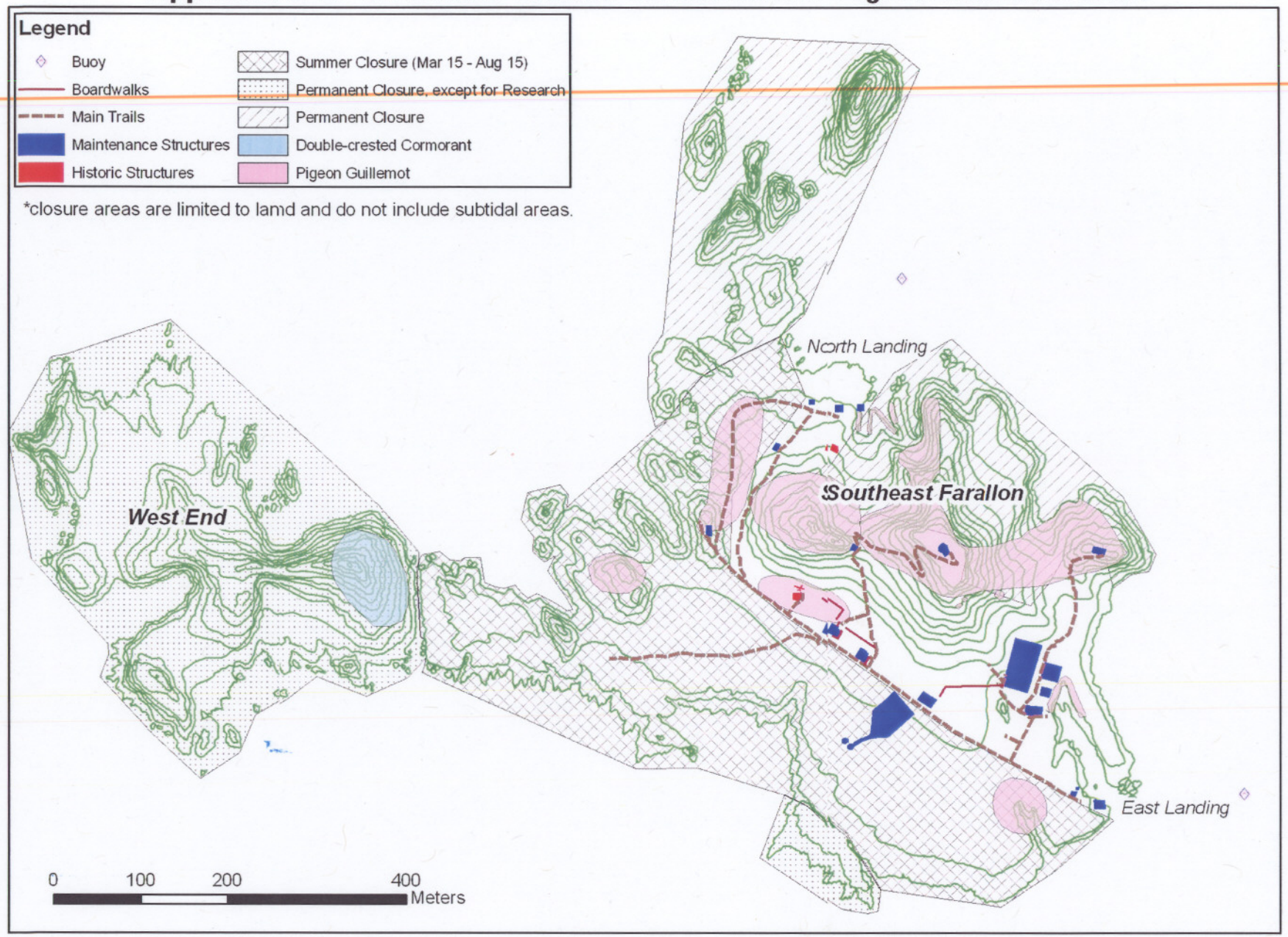
Joelle Buffa
Manager, Farallon National Wildlife Refuge

Enclosures: 8 maps of seabird colonies/marine mammal haul-outs South Farallon Island

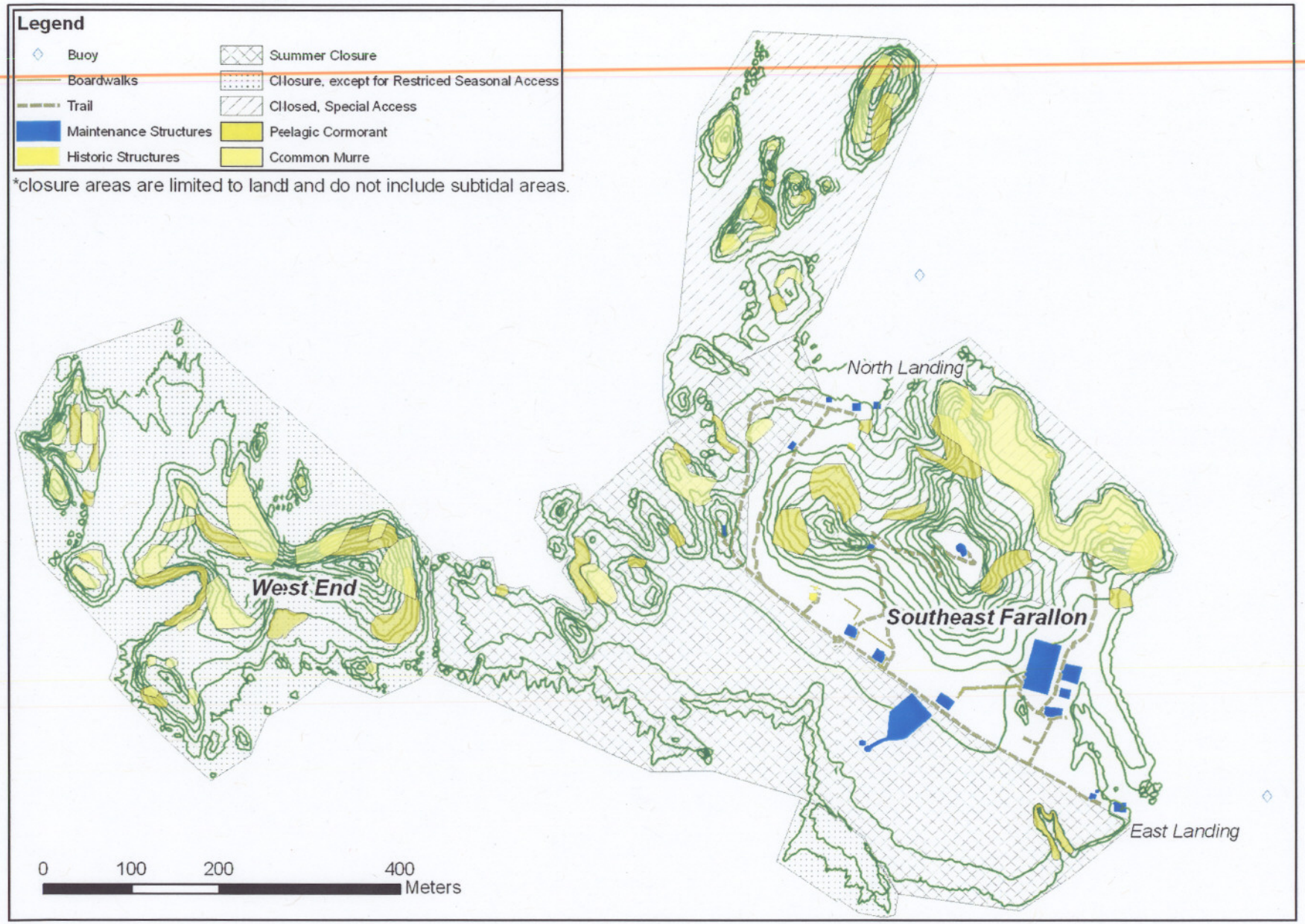
Appendiix B-1. SFI Brandt's Cormorant and Blaclk Oystercatcher Sites



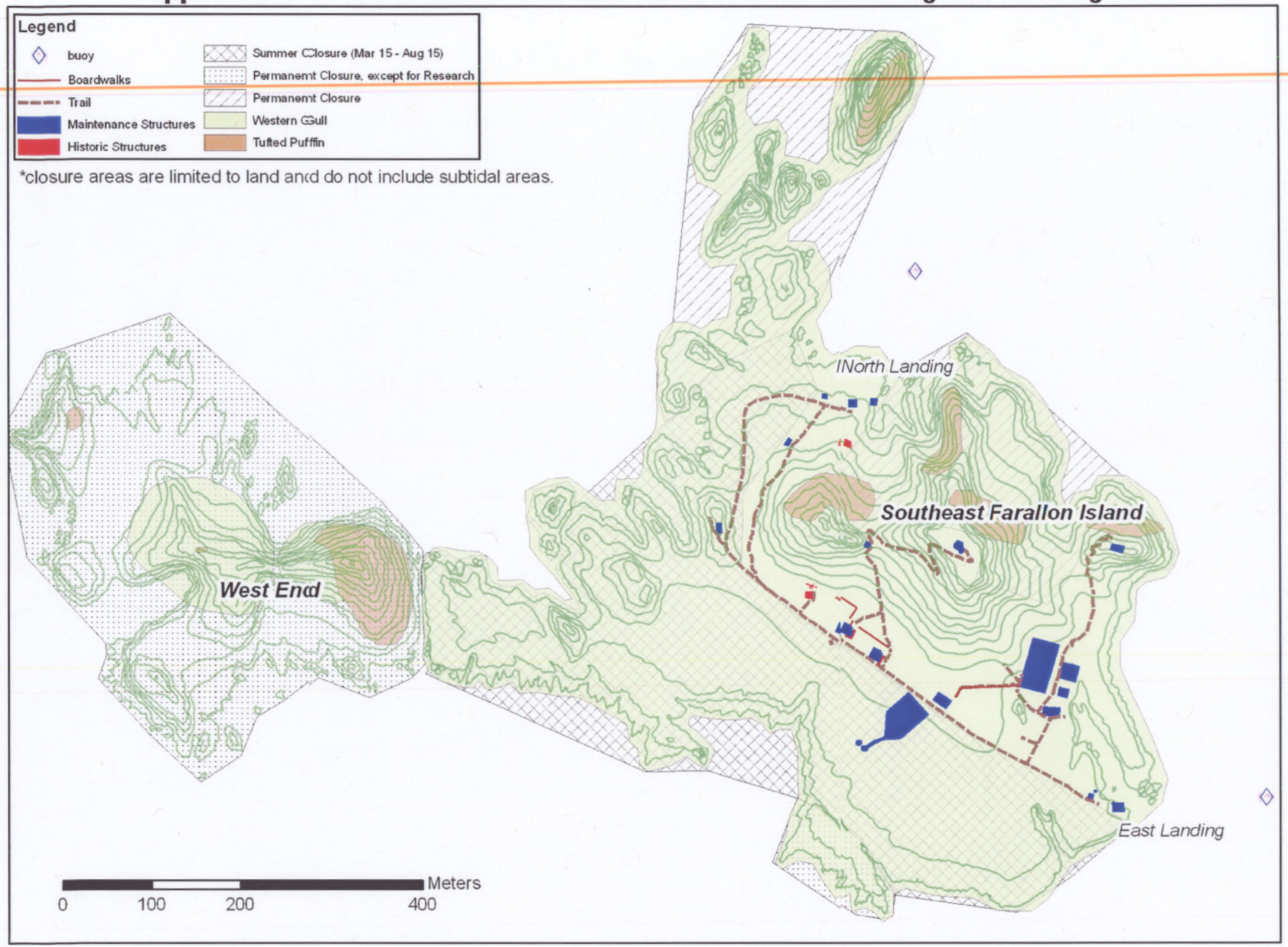
Appendix: B-2. SFI Double-crested Cormorant and Pigeon Guillemot Sites



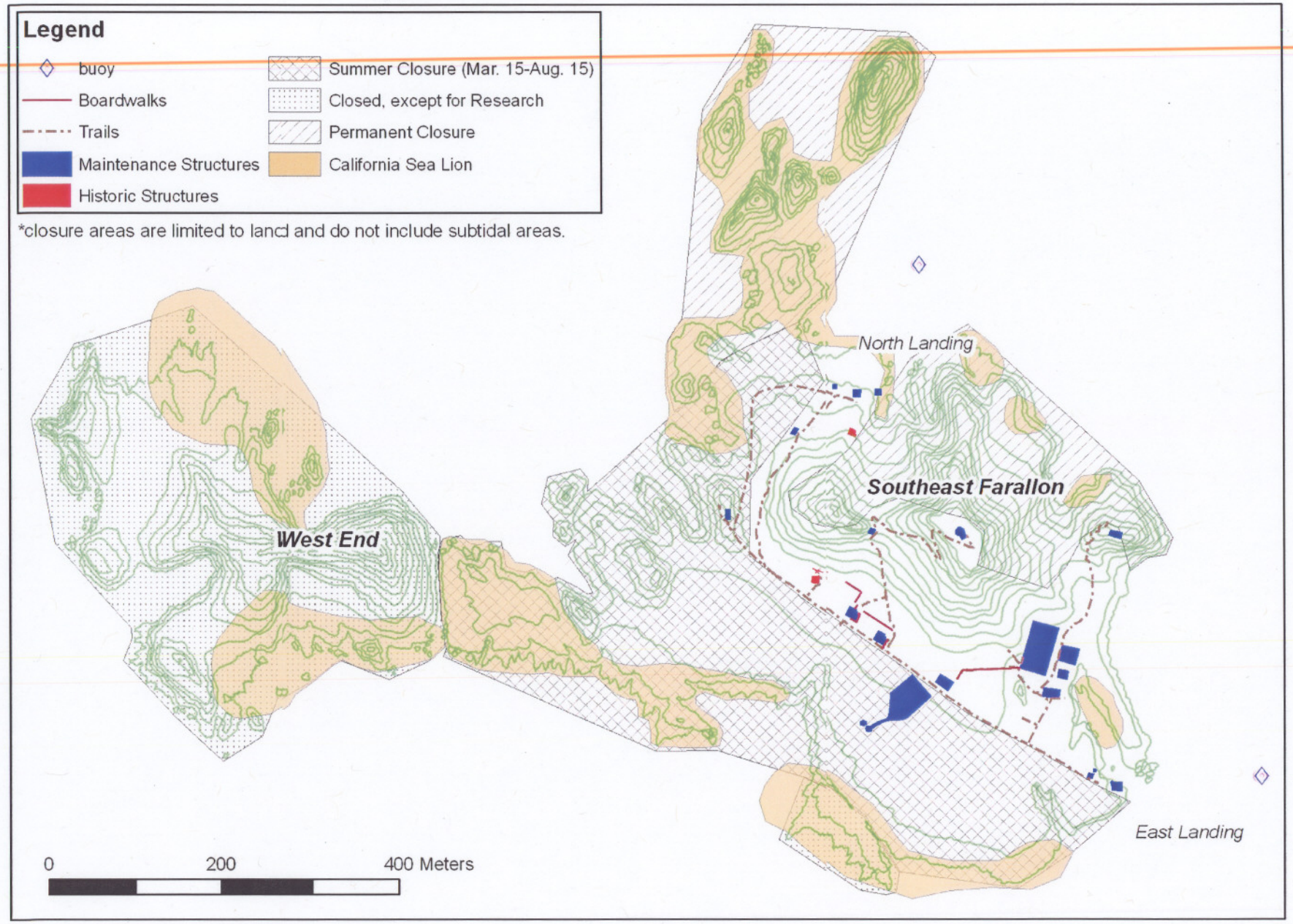
Appendix B-3. SFI Pelagic Cormorant and Common Murre sites



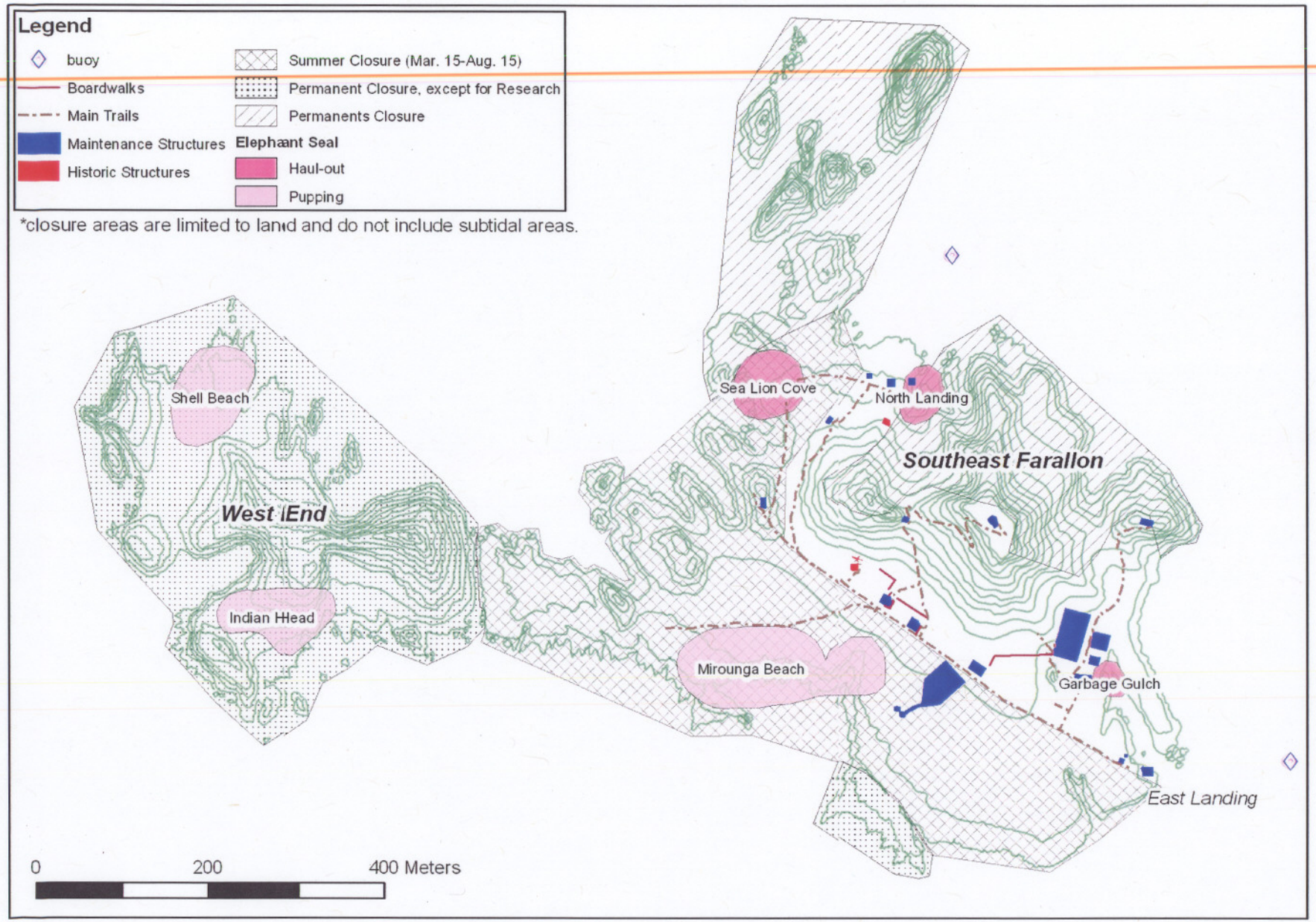
Appendix B-4. SFI Western Gull and Tufted Puffins Roosting and Nesting Sites



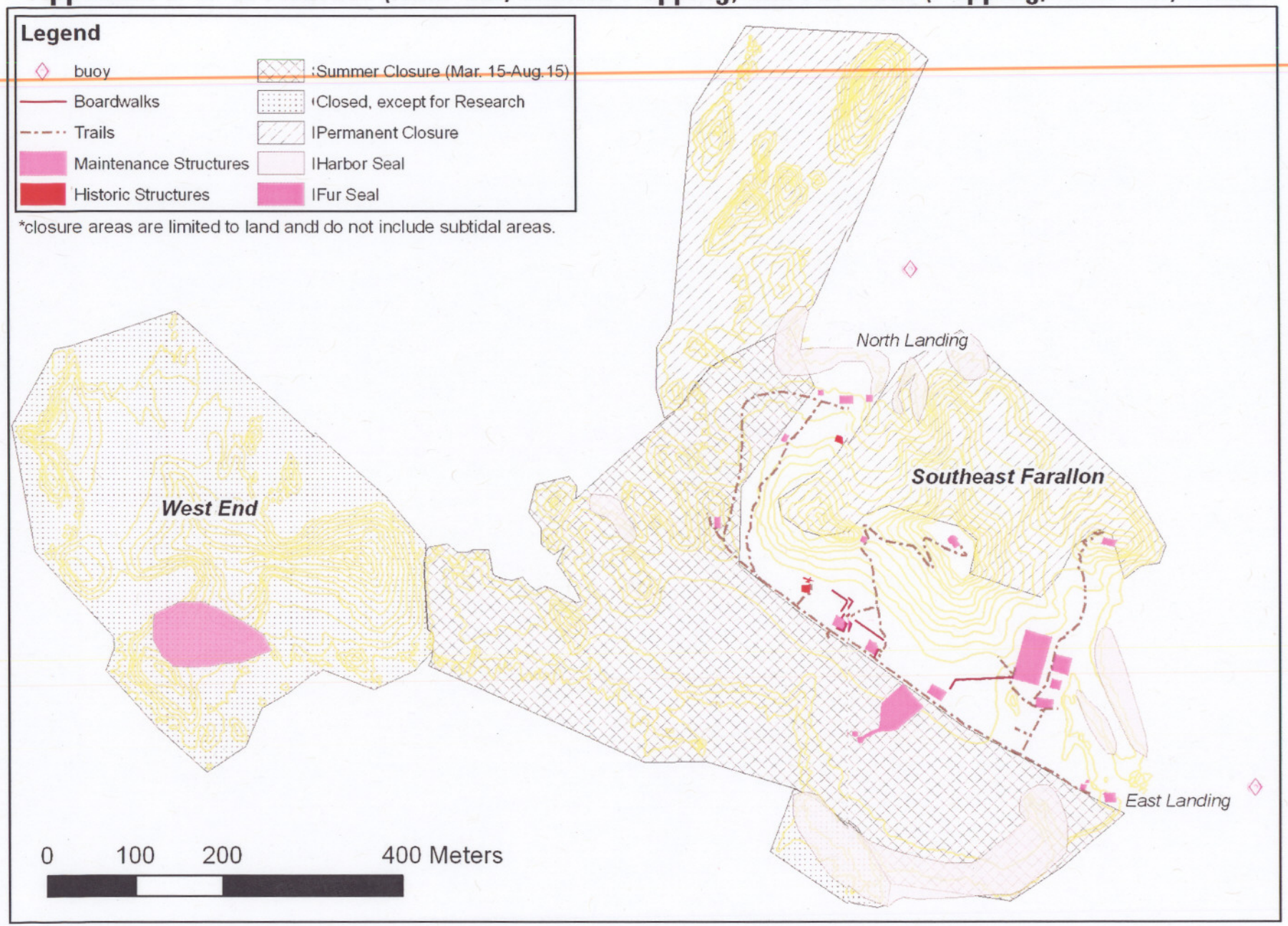
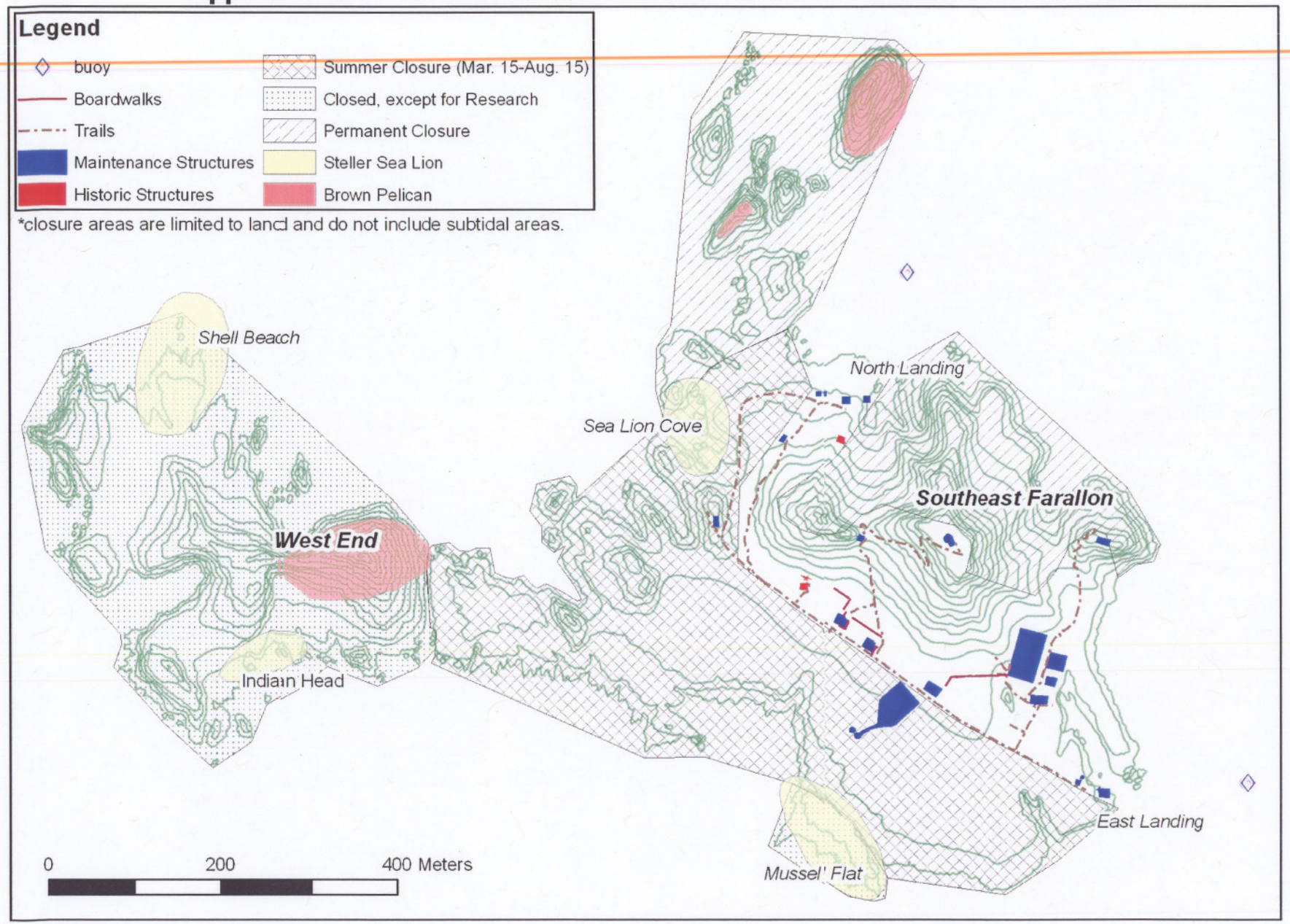
Appendix B-5. SFI California Sea Lion Sites



Appendix B-6. SFI Elephant Seal Sites



Appendix B-7. SFI Harbor (Haul-out, Limited Pupping) and Fur Seal (Pupping, Haul-out) Sites



Appendix B-8. SFI Steller Sea Lion and California Brown Pelican Sites