

**CALIFORNIA COASTAL COMMISSION**

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# Th11b

December 15, 2021

**TO:** Coastal Commissioners and Interested Parties

**FROM:** John Ainsworth, Executive Director  
Kate Huckelbridge, Deputy Director  
Cassidy Teufel, Manager

**SUBJECT:** Addendum to Staff Report for Consistency Determination No. CD-0006-21, U.S. Fish and Wildlife Service

This addendum provides additions and revisions to the December 2, 2021 staff report, including the addition of a fourth recommended condition. Recently received correspondence to the Commission from the U.S. Fish and Wildlife Service (USFWS) is also provided as an attachment. Please also note that a fourth correspondence packet was posted on Wednesday December 15, 2021 to provide three form letters that were timely received during the written comment period but unintentionally omitted from prior correspondence packets.

## I. CHANGES TO STAFF REPORT

The following are revisions to the text of the staff report and recommendation. Proposed deletions are marked with ~~strikethrough~~ text and additions are marked with underlined text.

a) Revised text to be inserted in the first partial paragraph on page 3:

~~Finally, Condition 3~~ would require USFWS to, at the conclusion of the process of adding to and revising the Draft Operational Plan, Draft Mitigation and Monitoring Plan and Draft Non-target Species Contingency Plan and prior to their finalization, provide these plans for Executive Director review and comment. Finally, Condition 4 would require USFWS to coordinate with Commission staff in the development of the final Non-target Species Contingency Plan, with the intent of ensuring that the quantitative thresholds, action triggers and response actions included in the Draft Non-target Species Contingency Plan continue to safeguard against a significant risk of mortality to non-target species in the unlikely event that hazing and other adverse impact avoidance and minimization efforts are not sufficiently effective. In combination with the protection

and mitigation measures proposed by USFWS, Conditions 1, 2, 3 and 4 would further ensure that the project does not result in adverse impacts to environmentally sensitive habitat areas, marine resources and water quality.

b) Additional recommended condition to be inserted prior to the start of Section III on page 7:

**4. Development of Non-target Species Contingency Plan.** In addition to further refinement of the Draft Non-target Species Contingency Plan prior to project implementation based on: 1) the Record of Decision that is expected to be issued on the FEIS; 2) input from experienced contractors, cooperators and other experts enlisted to assist USFWS with project implementation; 3) input from the U.S. Department of Agriculture's Animal and Plant Health Inspection Service and the U.S. Environmental Protection Agency, including incorporation of an expected supplemental rodenticide label; and 4) input from other applicable regulatory agencies and experts; USFWS shall also coordinate with Commission staff on further development of the Non-target Species Contingency Plan. The purpose of this coordination shall be to help ensure that the quantitative thresholds, action triggers and response actions included in the Draft Non-target Species Contingency Plan reviewed by the Commission continue to ensure the accomplishment of the USFWS' and Commission's shared goal of safeguarding against a significant risk of mortality to non-target species in the unlikely event that hazing and other adverse impact avoidance and minimization efforts are not sufficiently effective.

c) Revised text to be inserted in the third paragraph on page 13:

[The one successful effort that did not use brodifacoum involved use of a first generation anticoagulant rodenticide hand trapping on a very small island of less than one acre.]

d) Additional text to be inserted in the final paragraph on page 16:

Each of these scenarios is described in the plan along with specific triggers and thresholds for action and adaptive response actions that would be considered under each scenario. These response actions are uniquely targeted to the various scenarios but include several common elements. These are: implementation of additional focused monitoring for 24 hours to determine how the scenario is progressing (resolving or continuing); modification of hazing activities (to increase effectiveness or reduce non-target species disturbance); delay of follow-up bait deployment activities; hand collection of already deployed bait from all accessible areas; and cancellation of second bait deployment event. Although the draft plan identifies strong quantitative numeric triggers and appropriate adaptive response actions, these are provided only as possible actions and triggers due to the plan's draft form. USFWS acknowledges in the introduction to the plan that "It is possible that some portions of this Draft Plan will require substantial revisions after receiving additional input and review." To help ensure that the key elements of the plan reviewed by the Commission continue to safeguard against a significant risk of mortality to non-target species in the unlikely event hazing and other adverse impact avoidance and minimization efforts are not sufficiently

effective, **Condition 4** would require USFWS to coordinate with Commission staff on the final development of the plan. In addition, **Condition 3** would require USFWS to provide the fully developed plan to the Executive Director for review and comment prior to its finalization. This would help ensure that any changes made would not result in effects to coastal resources that are different than or additional to those understood and evaluated by the Commission. If such changes did occur, Commission staff would work with USFWS to resolve them in a manner that restored protection to coastal resources. If those efforts are unsuccessful, and the changed plans provide new information or changed circumstances related to ESHA or marine resources that calls into question whether the project activities would continue to be carried out in a manner consistent to the maximum extent practicable with the Coastal Act, the Commission may re-open its federal consistency review, as provided in CFR Sections 930.45.

e) Deleted footnote text on page 17:

~~Recent research, however, indicates that a fungal disease known for killing amphibians and blamed for the extinction of hundreds of species globally was found among the Farallon arboreal salamander population (Cowgill et al. 2021). The disease appears to have been present in the population since the 1990s at a level of less than 20% but the high rate of mortality it results in (~71%) is cause for concern.~~

f) Additional text to be inserted in the third to final paragraph on page 19:

### **Greater Farallones National Marine Sanctuary**

The Service will coordinate with the Sanctuary on applicable permitting requirements due to overflight and potential bait drift onto waters of the Sanctuary. The proposed project has been designed to be consistent with-Sanctuary regulations to the extent practicable and best management practices have been integrated to help ensure that consistency. For example, accidental bait drift into Sanctuary waters – which may have the potential to injure Sanctuary resources – would be avoided and minimized through a variety of project elements described in the Draft Operational Plan, including avoidance of aerial bait application seaward of the mean spring high water mark (the maximum high tide line form the past 19 years). Following any project activities that result in the potential injury of Sanctuary resources, the Sanctuary may consider application of 15 CFR Section 922.82(a)(4) of its regulations, the “enter and injure regulation”. Although this regulation by itself does not prevent activities beyond the Sanctuary boundary, it makes unlawful “discharging or depositing, from beyond the boundary of the Sanctuary, any material or other matter that subsequently enters the Sanctuary and injures a Sanctuary resource or quality.”

g) Additional and revised text to be included in the footnote in page 20:

In May of 2021, shortly after receiving the consistency determination from USFWS, Commission staff also reached out to USFWS staff to understand the status of any prior, pending or ongoing Tribal consultations USFWS was engaged in and to offer

further coordination during the Commission's outreach efforts. USFWS staff noted that ~~no Tribal or cultural concerns had been raised during the project's NEPA process and determined that no Tribal coordination was necessary under Section 106 of the National Historic Preservation Act.~~ "during the NEPA planning process, USFWS made a reasonable and good faith effort to identify whether any federally recognized tribes were concerned with the project. In addition to our public outreach efforts, we sent both the Draft EIS and Revised Draft EIS to the State Clearinghouse, which in turn sent both documents to the Native American Heritage Council. No comments were ever received from either the NAHC nor any tribes."

h) Revised and additional text in the third paragraph on page 50:

USFWS' operational plan calls for the project to be carried out shortly before a significant rainfall event is forecast. during the rainy season as part of the mitigation measures. While the Service does not expect to target bait application immediately before a rain event (because rain could degrade the bait before mice have been exposed to it), it instead is targeting the rainy season when a significant rain event would be expected to occur within the weeks following the application, after the required mouse exposure period has passed.

i) Additional text to be inserted in the final paragraph on page 53:

These measures and associated action triggers are discussed in detail in the Draft Non-target Species Contingency Plan included as [Appendix G](#). In the days immediately prior to the first proposed bait application and after hazing efforts have begun, the action trigger would be the presence of more than 200 gulls on the islands for more than three hours. This would trigger additional monitoring, an increase or change in hazing efforts, a delay in bait application until hazing is more effective and cancelation of the bait application event if it is not. Subsequent to bait application, the action triggers would be changed to: (1) the return or presence of more than 300 gulls on the islands for more than three hours within 24 hours after bait application; (2) an observation of more than 50 gulls in baited areas with evidence of likely exposure (e.g., foraging on bait); or (3) discovery of more than 20 sickened or dead gulls showing physical signs of rodenticide poisoning are discovered on the islands and/or mainland. Under any of these circumstances, 24 hours of additional monitoring would be carried out, followed by one or more of the following actions if the situation has not resolved itself: (1) modification of hazing methods (i.e. use more pyrotechnics, deploy more effigies, and increase human presence); (2) delay of the second aerial bait broadcast until sufficient hazing success is achieved; (3) reduction of bait availability by manually removing pellets in difficult to haze areas; (4) manual removal of bait pellets from all accessible areas; and (5) cancellation of second bait drop if USFWS determined that none of the above measures are adequate. Because these adaptive management responses and associated numeric triggers may be subject to change during the process of further developing the Draft Non-target Species Contingency Plan and preparing a final version, **Condition 4** would require USFWS to coordinate with Commission staff on the development of the

final plan. The intent of this coordination would be to help ensure that the key elements of the draft plan reviewed by the Commission are continued in the final plan in order to safeguard against a significant risk of mortality to non-target species in the unlikely event that hazing and other adverse impact avoidance and minimization efforts are not sufficiently effective.

j) Additional text to be inserted after the first partial paragraph on page 61:

Finally, **Condition 4** would help provide additional protection against adverse impacts to non-target species by requiring USFWS to coordinate with Commission staff in the development of the final Non-target Species Contingency Plan. The intent of this coordination would be to help ensure that the quantitative thresholds, action triggers and response actions included in the Draft Non-target Species Contingency Plan continue to safeguard against a significant risk of mortality to non-target species in the unlikely event that hazing and other adverse impact avoidance and minimization efforts are not sufficiently effective.

k) Revised text within the third paragraph on page 62:

The Service also reports that ~~since 2007, 28 of the 30 house mouse island eradication projects undertaken across the globe (those with documented methods and results) have been confirmed as successful.~~ success rates have improved over time, particularly within the last two decades. Current numbers show that since 2005, 33 of the 35 (94%) house mouse eradications undertaken have been confirmed as successful (DIISE 2021).



# United States Department of the Interior



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San Francisco Bay National Wildlife Refuge Complex  
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OFFICIAL ELECTRONIC MAIL SENT VIA EMAIL  
NO HARD COPY TO FOLLOW

December 15, 2021

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Re: Consistency Determination No. CD-0002-19 South Farallon Islands Invasive House Mouse Eradication Project, Farallon Islands National Wildlife Refuge – Staff Report

Dear Commissioners:

Thank you for the opportunity to provide comments on the Staff Report written to conditionally concur with the Consistency Determination for the South Farallon Islands Invasive House Mouse Eradication Project, Farallon Islands National Wildlife Refuge. The U.S. Fish and Wildlife Service (Service) appreciates the thorough and detailed report prepared by your staff and offer the following points for your consideration...

It has come to the Service's attention that a statement included in the introduction of the Draft Operational Plan and cited in the staff report is being misinterpreted. The statement "*It is also based on lessons learned and knowledge gained from more than 1,200 rodent eradication attempts on islands around the world, with over 700 successful eradications. These have included 89 that targeted house mice resulting in 64 that were successful.*" should **not** be interpreted as an indication of a failure rate of eradication efforts. Rather, the 700 is rodent eradication attempts out of 1,200 total invasive mammal eradication attempts globally. Those numbers **do not** reflect success or failure of these attempts and that was an error in the Draft Operational Plan and staff report.

More applicable language is in the Service's Consistency Determination: "*Following the first successful whole-island rodent eradications in the 1970s, techniques have been modified to better guarantee eradication success while minimizing non-target impacts. Current island rodent eradication tracking shows that over 722 successful island rodent eradications (9 species on 578 islands) have been conducted worldwide, including 64 for house mice (DIISE 2021).*"

*"As described in Section 2.5 of the FEIS, success rates have improved over time, particularly within the last two decades. Current numbers show that since 2005, 33 of the 35 (94%) house mouse eradications undertaken have been confirmed as successful (DIISE 2021). We are unaware of any successful whole-island house mouse eradications that did not use a rodenticide. Although success cannot be guaranteed, the success rates now being achieved in other mouse eradication projects show that a well-planned and executed project would provide a high chance of success at the South Farallon Islands."*

The staff report also talks about why diphacinone was not chosen as the preferred alternative. While diphacinone is listed as “less potent”, it is not clear that the diphacinone alternative poses a high risk of failure. The Service’s Consistency Determination states “*Although it is less toxic than brodifacoum and thus has less risk to non-target species, diphacinone (the rodenticide proposed in Alternative C) requires multiple feedings over multiple days to be effective, is less effective on mice (than rats), would require more bait applications and have a longer operational period, and has never been used in a successful, full-island mouse eradication. For these reasons, we consider Alternative C to have a high risk of eradication failure in addition to causing substantially more disturbance to the Farallon ecosystem, and thus we did not identify Alternative C as the preferred alternative.*”

The Service looks forward to presenting our project to you at the December 2021 Coastal Commission Meeting. Please contact Gerry McChesney, Farallon Islands National Wildlife Refuge Manager, at [gerry\\_mcchesney@fws.gov](mailto:gerry_mcchesney@fws.gov) or 510-435-9151 if you would like additional information.

Matthew Brown  
Complex Manager