

Facts and Q&A - 90-day finding for a Petition to List the Ashy Storm-Petrel

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Background on the species:

- The ashy storm-petrel is a seabird species belonging to the order Procellariiformes, family Hydrobatidae.
- The ashy storm-petrel is a smoke-gray, medium-sized storm-petrel with long slender wings, a long forked tail, and webbed feet.
- Ashy storm-petrels spend their entire lives within the Pacific Ocean's California Current System, and breed on islands and islets off the coast of California and northwest, Baja California, Mexico.
- The two main population centers where they breed are at the Farallon Islands, located west of San Francisco, and the Channel Islands of southern California.
- Ashy storm petrels nest in crevices of talus slopes, rock walls, sea caves, cliffs, and driftwood. A female ashy storm-petrel lays one egg per year.
- The egg laying period lasts from April through August, chicks hatch from May through October, and chicks fledge (depart their nests) from August through January.
- Ashy storm-petrels return to and depart from their nests at night to avoid predation from daytime predators such as gulls and falcons.
- Ashy storm-petrels feed on small invertebrates and fish picked from the ocean surface.
- Large flocks (~4,000 to 6,000) of ashy storm-petrels are observed each fall in Monterey Bay.

Q. Why did the U.S. Fish and Wildlife Service evaluate this particular species with regard to the Endangered Species Act?

A. On October 16, 2007, the Service received a formal petition, dated October 15, 2007, from the Center for Biological Diversity, requesting that we list the ashy storm-petrel as threatened or endangered, under the Endangered Species Act of 1973. In January the Service responded to the petitioner stating that we anticipated making an initial finding as

to whether the petition contained substantial information suggesting that listing the ashy storm-petrel may be warranted.

Q. What did the Service conclude in its 90-day finding?

A. The Service found that the petition to list the ashy storm-petrel presented sufficient evidence to indicate that listing the species as threatened or endangered may be warranted. As such, we are initiating a status review to determine if listing the species under the Act is warranted.

Q. What specific factors exist which suggest the species may be threatened or endangered?

A. After conducting a thorough review of the petition to list the ashy storm-petrel, we found substantial information indicating that the ashy storm-petrel may be threatened due to:

- Artificial light pollution near breeding colonies and at sea
- Potential for at-sea oil pollution
- Predation at nesting colonies
- Inadequacy of existing regulatory mechanisms
- Contamination of eggs and birds by organochlorine chemicals

Q. Does this mean the ashy storm-petrel will be listed as threatened or endangered?

A. No. The 90-day finding is simply one step in a process that initiates a more thorough review of the available information on the species, its habitat and its threats. The next step is to conduct a status review, and then issue what is known as a 12-month finding. The 12-month finding will present our determination as to whether or not the ashy storm-petrel warrants protection under the ESA.

With the publication of the 90-day finding, we have opened a 60-day public comment period. The Service is seeking input on a number of specific questions, which can be viewed in the 90-day finding. The Service encourages everyone to review these questions and submit any and all data that will help us make a listing decision based on the best available science and information.

Q. When will the Service decide if listing is warranted?

A. The status review is now underway. After the review, the Service will then issue the 12-month finding announcing our decision.

Q. What happens if it is listed? What happens if it is not listed?

A. Based on the status review, the Service will make one of three possible determinations:

- 1) Listing is not warranted, in which case no further action will be taken.
- 2) Listing as threatened or endangered is warranted. In this case, the Service will publish a proposal to list, solicit independent scientific peer review of the proposal, seek input from the public, and consider the input before a final decision about listing the species is made. In general, there is a one-year period between the time a species is proposed and the final decision.
- 3) Listing is warranted but precluded by other, higher priority activities. This means the species is added to the federal list of candidate species, and the proposal to list is deferred while the Service works on listing proposals for other species that are at greater risk. A warranted but precluded finding requires subsequent annual reviews of the finding until such time as either a listing proposal is published, or a not warranted finding is made based on new information.

More questions? Write or call:

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