

Resolution of the  
Greater Farallones National Marine Sanctuary Advisory Council

RESOLUTION Requesting More Information on Potential Impacts to the Sanctuary Related to the US Fish and Wildlife Service Proposed Mouse Eradication Project

The Greater Farallones National Marine Sanctuary Advisory Council requests the Sanctuary provide a response back to the council on the questions and issues raised in Sanctuary's letter to the United States Fish and Wildlife Service (USFWS) on February 11, 2019 (Attachment A). The council recommends the Sanctuary ask the following additional questions of USFWS and report answers back to the council:

1. Will there be a matrix over time provided so that the Sanctuary is aware at various points in the project and remains apprised of the data/status throughout?
2. What funds is USFWS allocating for education and public engagement for the project? What responsibility are they taking vs what the Sanctuary would handle related to public education, and how will funds be allocated for that (not just around regulatory issues, project impacts, or mitigation plans; but education around the "why" (e.g., why the ecosystem matters, and what the end goal is for the environment)?
3. What contractual language will there be for overflight distribution accuracy (e.g., target drops)?
4. How many non-target Sanctuary species are estimated to be affected and how?
5. Provide additional analysis on the estimated amount (weight) of pellets and anticoagulant that may be accidentally spilled into the Sanctuary. How will this be monitored?
6. Provide further discussion on how the preferred alternative may be affected during rain and wind events.
7. Address the impacts to the large numbers of pinniped pups expected to be present on the islands when aerial bait drops and hazing efforts of gulls are occurring.

Attachment A: Letter from the Greater Farallones National Marine Sanctuary to the US Fish & Wildlife Service on February 11, 2019 ("Re: Comments on the Administrative Draft of the Final Environmental Impacts Statement for the South Farallon Islands Invasive House Mouse Eradication Project")

cc: Maria Brown, Greater Farallones National Marine Sanctuary Superintendent

This resolution was passed with majority vote by a quorum of primary members (or alternate members serving in place of primary members) at a public meeting on February 19, 2020, in Bodega Bay.

***The council is an advisory body to the sanctuary superintendent. The opinions and findings of this letter/publication do not necessarily reflect the position of the sanctuary and the National Oceanic and Atmospheric Administration.***



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL OCEAN SERVICE**

**Greater Farallones National Marine Sanctuary**  
991 Marine Dr., The Presidio  
San Francisco, CA 94129

February 11, 2019

Mr. Gerry McChesney, Refuge Manager  
U.S. Fish and Wildlife Service  
San Francisco Bay National Wildlife Refuge Complex  
1 Marshlands Road  
Fremont, CA 94555

**Sent Via Email**

RE: Comments on the Administrative Draft of the Final Environmental Impacts Statement for the South Farallon Islands Invasive House Mouse Eradication Project

Dear Mr. McChesney:

Greater Farallones National Marine Sanctuary (GFNMS or sanctuary) has reviewed the Administrative Draft of the Final Environmental Impact Statement (FEIS) for the South Farallon Islands Invasive House Mouse Eradication Project. As stated in the Draft FEIS, the project goal is to eradicate introduced, invasive house mice (*Mus musculus*) from the South Farallon Islands within the Farallon Islands National Wildlife Refuge (Refuge), in order to help restore natural ecosystem processes on the islands and benefit native seabirds, amphibians, terrestrial invertebrates, and plants. We appreciate that the U.S. Fish and Wildlife Service (USFWS) has provided GFNMS with the opportunity to comment on this document. We also thank the USFWS for their time in providing a briefing conference call to further discuss the project with GFNMS staff on October 29, 2018.

GFNMS manages the waters and submerged lands adjacent to the South Farallon Islands (below the mean high water (MHW) mark). It is important that any site-specific projects that may result from the project be designed and implemented in a manner that prevent negative impacts to the waters and habitats of the sanctuary. As such, the following comments provided herein discuss GFNMS' jurisdiction and current regulations.

With few exceptions, discharging or depositing any material or other matter is prohibited and thus is unlawful for any person to conduct or to cause to be conducted within the Sanctuary. In addition, 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 is also prohibited [15 CFR Part 922, § 922.82 (a)]. The National Marine Sanctuaries Act defines "injure" as "to change adversely, either in the short or long term, a chemical, biological or physical attribute of, or the viability of. This includes but is not limited to, to cause the loss of or destroy." "Sanctuary quality" is defined as "any of those ambient conditions, physical-chemical characteristics and natural processes, the maintenance of which is essential to the ecological health of the Sanctuary, including, but not limited to, water quality, sediment quality and air

quality” (15 CFR § 922.3). These prohibitions in combination would apply to any activities beyond the Sanctuary, in which matter could be discharged and ultimately enter the Sanctuary and cause injury, even in the short term. Such activities could include staging, transport of equipment and rodent bait, and the aerial dispersion of rodent bait over the landside of the South Farallon Islands that occur outside Sanctuary boundaries. Activities associated with both Alternatives B and C may result in incidental discharges that enter the sanctuary and thus USFWS should continue to coordinate closely with GFNMS staff to address best management practices and potential permitting requirements. In addition, flying an aircraft (either fixed wing or an unmanned aerial system (UAS)) below 1,000 feet within a NOAA Regulated Overflight Zone would need to be permitted as this is an activity prohibited by 15 CFR 922.82(a)(11). There is a NOAA Regulated Overflight Zone surrounding the nearshore waters of Southeast Farallon Island (SEFI). Thus, any operation of aircraft below 1,000 feet associated with either Alternatives B or C would require a sanctuary permit. For more information, please see <http://sanctuaries.noaa.gov/management/permits/aircraft.html> and the map of GFNMS’ regulatory zones at <https://farallones.noaa.gov/gallery/maps.html>. Lastly, all activities requiring a sanctuary permit must meet the specific permit review and issuance criteria listed in 15 CFR Part 922, § 922.83. More information on GFNMS regulations and permit procedures can be found here: <https://farallones.noaa.gov/manage/regulations.html>.

### **GFNMS Comment Matrix**

Please note that GFNMS staff carefully reviewed the Draft FEIS and provided a complete list of comments in Attachment 1 to this letter, entitled “GFNMS Comment Matrix.” This matrix provides numerous administrative and grammatical comments on the document along with substantive comments on the proposed Alternatives. Key comments from the matrix are summarized in this section.

In general the substantive comments request that the Final DEIS include more discussion on the following:

- *Address the impacts to the large numbers of pups now expected to be present on the islands when aerial bait drops and hazing efforts of gulls are occurring.*
- *Consider both the presence or pupping of pinnipeds and also timing of weaning or dependence of pups to mothers.*
- *Provide further discussion on how the proposed alternatives may be affected during a rain event.*
- *Provide additional analysis on the estimated amount (weight) of pellets and anticoagulant that may be accidentally spilled into the sanctuary.*
- *Address how long non-target scavengers might be exposed to the anticoagulant in rodent carcasses.*
- *Provide more discussion on how rodent carcasses would be disposed.*
- *Address whether there is a monitoring plan or information on tests to be done on intertidal species in the event of a spill into the intertidal that is greater than negligible.*
- *Provide information about transmission and exposure to food supply, i.e. Dungeness crab, salmon, in the event of a large spill in the marine environment before Nov 1 (recreational crab season begins) and during commercial salmon season.*
- *Address any literature on toxicity to predators that consume mussels or limpets that have*

*been exposed to the rodenticide.*

**Impacts to Other Sanctuary Users**

In Section 4.6.2.3, on page 233, the document states that the project may overlap with the annual white shark season at Southeast Farallon Island (SEFI). Permitted research vessels and educational tour vessels operate at the islands each year from September through November. Specifically, USFWS has stated that an overwater closure around SEFI (extending approximately 0.5 miles from shore) would be necessary during times when rodent bait and rodenticides are being aurally broadcast over the island. GFNMS recommends that USFWS make every effort to minimize the number of overwater closure days that would occur during white shark season. Further, because the majority of white shark viewing trips occur during the weekends (Friday through Sunday), GFNMS recommends that USFWS conduct the project to avoid closures during the weekend, to the extent this is feasible, to avoid disruptions to these vessel operators.

GFNMS appreciates this opportunity to comment on the Administrative Draft of the FEIS for the South Farallon Islands Invasive House Mouse Eradication Project and we look forward to coordinating closely with USFWS on future phases of the proposed project. Please contact Max Delaney at [max.delaney@noaa.gov](mailto:max.delaney@noaa.gov) or 415-970-5255 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Maria Brown". The signature is written in a cursive, flowing style.

Maria Brown  
Sanctuary Superintendent

Attachments (1):  
GFNMS Comment Matrix