

State of California
The Resources Agency
Department of Fish and Game

Report to the California Fish and Game Commission

**Status Review
of the
American Peregrine Falcon
(*Falco peregrinus anatum*)
in California**

Prepared by

Lyann A. Comrack
Randi J. Logsdon

Nongame Wildlife Program Report 2008-06
October 9, 2008

Part II. Appendices

Appendix 1: Peer review of the status review of the American peregrine falcon (*Falco peregrinus anatum*) in California

The report was reviewed by the following scientists:

Ronald Jurek, Staff Environmental Scientist (retired)
California Department of Fish and Game
Auburn, California

David Lancaster, Environmental Scientist
California Department of Fish and Game
Eureka, California

Brian Latta, Raptor Biologist
Santa Cruz Predatory Bird Research Group
Santa Cruz, California

Janet Linthicum, Raptor Biologist
Santa Cruz Predatory Bird Research Group
Santa Cruz, California

Scott Koller, Wildlife Unit Manager
California Department of Fish and Game
Mendocino, California

Appendix 2A: Public notification and solicitation of data and comments regarding American peregrine falcon status review

PUBLIC NOTICE

TO WHOM IT MAY CONCERN:

Pursuant to Section 2074.4 of the California Fish and Game Code (FGC), **NOTICE IS HEREBY GIVEN** that on May 4, 2007, the California Fish and Game Commission received a petition from Mr. Gary R. Alten to amend the official State list of endangered and threatened species (Section 670.2, 670.5, Title 14, California Code of Regulations) as follows:

<u>Species</u>	<u>Proposal</u>
American Peregrine Falcon (<i>Falco peregrinus anatum</i>)	Delist from endangered status

The California Endangered Species Act (FGC, Chapter 1.5, Section 2050 *et seq.*) requires that the Department of Fish and Game notify affected and interested parties that the Commission has accepted the petition for the purpose of receiving information and comments that will aid in evaluating the petition and determining whether or not the above proposal should be adopted or rejected by the Commission. The Commission's October 23, 2007 action has resulted in this species receiving the interim designation of "candidate for delisting" while still retaining endangered status under the California Endangered Species Act. The Department has 12 months to review the petition, evaluate the available information, and report back to the Commission whether or not the petitioned action is warranted (FGC 2074.6). The Department's recommendation must be based on the best scientific information available to the Department.

Therefore, **NOTICE IS FURTHER GIVEN** that anyone with data or comments on the taxonomic status, ecology, biology, life history, management recommendations, distribution, abundance, threats, habitat that may be essential for the species, or other factors related to the status of the above species, is hereby requested to provide such data or comments to:

Wildlife Branch- Nongame Wildlife Program
Attn: Ms. Lyann Comrack
California Department of Fish and Game
1812 9th Street
Sacramento, California 95811

Responses received by July 15, 2008 will be included in the Department's final report to the Fish and Game Commission. If the Department concludes that the petitioned action is warranted, it will recommend that the Commission adopt the proposal. If the Department concludes that the petitioned action is not warranted, it will recommend that the Commission reject the proposal. Following the receipt of the Department's report, the Commission will allow a 30-day public comment period prior to taking any action on the Department's recommendation.

Dr. Eric Loft, Chief
Wildlife Branch

Appendix 2B: Department Press Release for Peregrine Falcon

From: DFG News
To: DFG News
Date: 5/20/2008 10:58 AM
Subject: DFG Seeking Public Comment Regarding Delisting of the American Peregrine Falcon

Department of Fish and Game

NEWS RELEASE FOR IMMEDIATE RELEASE 08042 May 20, 2008

Contact: Lyann Comrack, Wildlife Branch, (916) 341-6981
Mary Fricke, Office of Communications, (916) 445-1506

DFG Seeking Public Comment Regarding Delisting of the American Peregrine Falcon

The California Department of Fish and Game (DFG) is seeking public comment on a proposal to remove the American peregrine falcon from the California endangered species list.

DFG is seeking scientific data or comments about the American peregrine falcon in California in the following areas: taxonomic status, ecology, biology, life history, management recommendations, distribution, abundance, threats and habitat that may be essential for the species, or other factors related to the status of the species.

All comments or other information should be submitted in writing by **July 15, 2008** to the following addresses:

Wildlife Branch – Nongame Wildlife Program
California Department of Fish and Game
Attn: Lyann Comrack
1812 9th Street
Sacramento, CA 95811

Responses received by the due date will be evaluated and the results included in DFG's final report to the Fish and Game Commission (FGC). In the report, DFG will recommend that the FGC either delist, downlist to threatened status or maintain the current level of protection for the American peregrine falcon. The FGC allows an opportunity for public comment prior to making a decision.

The American peregrine falcon was listed as endangered under the California Endangered Species Act in 1971 due to a dramatic population decline linked to environmental contamination. The pesticide DDT and other dangerous pesticides, called organochlorine pesticides, were correlated with egg shell thinning, breakage, hatching failure, and other abnormal factors in the species thus resulting in greatly reduced populations nationwide. At the time of listing, only five breeding pairs of American peregrine falcons were documented as nesting in California. Following the ban on these pesticides in the United States, the American peregrine falcon made a comeback, assisted by an active captive breeding campaign led by Santa Cruz Predatory Bird Research Group, the Peregrine Fund and state and federal government.

DFG's assessment will document current breeding population size and range and will evaluate the nature of current threats to this species and the effectiveness of present monitoring programs in place.

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DFGnews@dfg.ca.gov is an outgoing email account only. Please do not reply to this email. For questions about this News Release, contact the individual(s) listed above.

Appendix 3A: Summary of communications received by the Department regarding the petition to delist the American peregrine falcon

A total of 53 communications (including letters and emails) in response to the State petition to delist the American peregrine falcon was received during the public review period as of September 1, 2008. A summary of these communications is provided below; copies of the all communications may be obtained by contacting the Department (Lyann Comrack 916 341-6981).

Forty-five individuals and seven organizations responded to the request for information. The organizations included Audubon California, The Peregrine Fund (two letters), Wild Raptor Take Conservancy, Oregon Falconers Association, California Raptor Advancement Group, Golden Gate Raptor Observatory, and North American Falconers Association. Of all respondents, 44 (83 %) supported delisting the American peregrine falcon, 8 (15%) supported retaining the species on the endangered species list or down-listing it to threatened status, and 1 (2%) indicated support of both down-listing and delisting. Thus, the majority of respondents favored delisting the peregrine falcon.

Table 3B: List of respondents to the request for information regarding the petition to delist the American peregrine falcon (September 2008)

Last Name	First Name	Representing	City	State	Zip	Comment
Alten	Gary	Petitioner	Alta Loma	CA	91701	Delist; referred to Florida Game & Fish action to delist peregrine.
Baldwin	Valerie	self	Portola Valley	CA	94028	Delist
Barkley	Jana	self	Walnut Creek	CA	94595	Delist; OR and WA have delisted as has federal gov't
Bausch	Randy	self	Oakland	CA	94602	Delist and allow falconry take in CA
Bodary	Mike	self	Loveland	TN		Delist and allow falconry take in CA
Brown	Patrick	self	Vacaville	CA	80538	Delist and allow falconry take in CA
Burdick	Greg	self		CA	95687	Delist
Carroll	Kitty	self		FL		Delist
Cecchini	Dan	North American Falconers' Association				Delist and allow falconry take in CA (see letter for data App. 3C)
Charifon	Nathan	self				Delist; supported by data; falconry suggested if delisted.
Condon	Kevin	self	Sonoma	CA	95476	Delist; retaining Endang. status hurts credibility of list
Coughlin	Jim	self	San Diego	CA	92127	Delist and would like falconry take in CA
Crowley	Lawrence	self	Louisville	CO	80027	Delist and allow falconry take
Diebold	Robert	self	Santa Rosa	CA	95404	Delist
Eintoss	Jutta	self				Retain on list; illegal hunting, pollution may affect species again.
Erdmann	Mary	self	Austin	TX	78748	Retain until 1,000 nesting pairs in state
Fairman	Norval	self	Diablo	CA	94528	Retain endangered; premature; env. contamination, unexplained production issues on Oakland Bay bridge
Fish	Allen	Golden Gate Raptor				
Fitch	Edward	Observatory	Sausalito	CA	94965	Down-list to Threatened (see letter for data App. 3C)
Garabedian	Roger	self	Valentine	NB	69201	Delist
Greene	Bill	self	Fresno	CA	93720	Delist
						Retain on list

Appendix 3B, continued

Last Name	First Name	Representing	City	State	Zip	Comment
Holderman	Frederick	self	Spring Valley	CA	91977	Delist
Huff	Luther	self				Delist
Hunt	Grainger	The Peregrine Fund	Boise	ID	83709	Delist (see letter for data App. 3C)
Imfeld	Walter	self	Selma	CA	93662	Delist
Ingram	James	Wild Raptor Take Conservancy				Delist and allow falconry take
Jenny	Peter	The Peregrine Fund	Boise	ID	83709	Delist (see letter for data App. 3C)
La Velle	Thomas	self	Oxnard	CA		Delist
Langham	Gary	Audubon California	Emeryville	CA	94608	Delist but with monitoring (see letter for data App. 3C)
Leibert	Teresa	self	San Francisco	CA		Retain on list; 300 pairs too few.
Mascuch	Paul	self	Parma	ID	83660	Delist and would like falconry take in CA
Mayer	Steve	self	Orange	CA	92865	Peregrine doing well in S. CA.
McElroy	Harry & Beth	self	Willcox	AZ	85643	Delist and allow falconry take in CA.
McGriff	Sina	self	Trabuco Canyon	CA	92678	Delist
Meitz	John	self	El Cajon	CA	92019	Delist
Myerly	Bob	self	Chatsworth	CA	91311	Delist/downlist; "Probably time to release precious resource from protective sanctuary of endangered species."
Nevill	Glenn	self				Retain on list; suffer/shot from pigeon fanciers; see Audubon magazine article, flame retardants a hazard
Palmer	Ron	self	Mesa	AZ	85204	Delist and allow falconry take (implied)
Pendergrass	Bob	self				Allow falconry take of peregrine
Rhinehart	William	self	Riverside	CA	92509	Delist; "feather in hat" for Department

Appendix 3B, continued

Last Name	First Name	Representing	City	State	Zip	Comment
Rodelli	Marshall	self	Claremont	CA	91711	Delist
Rollins	Ron	self	Davenport	CA	95017	Delist and would like falconry take in CA
Sandperl	Nicole	self	Aptos	CA	95003	Retain endangered status. 300 pairs too few.
Slipka	David	self		MN		Delist
Smiley	Richard	self	Sacramento	CA	95842	Delist
Stephen	Tom	CA Raptor Advancement Group				Delist [allow falconry take implied] (See letter in App. 3C)
Stewart	William	self	Sacramento	CA	95823	Delist
Thoradartson	Thora	self	Trabuco Canyon	CA	92678	Delist
Tiernan	Terence	self	Benicia	CA	94510	Delist; redirect funds to other species in need
Underwood	Craig	self	Grass Valley	CA	95949	Delist; federal recovery goals met
Warren	John	self	San Dimas	CA	91773	Delist
Watts	Rick	self	Livermore	CA	94551	Delist; should be science-based
Welle	Bob	Oregon Falconers Association		OR		Delist and allow falconry take (See letter App. 3C)

Appendix 3C: Correspondence received from organizations responding to the request for information on the status of the American peregrine falcon (copies appended)

- Audubon California
- California Raptor Advancement Group
- Golden Gate Raptor Observatory
- North American Falconers' Association
- Oregon Falconers Association
- The Peregrine Fund (two letters)
- Wild Raptor Take Conservancy



Audubon CALIFORNIA

4225 Hollis Street
Emeryville, CA 94608
Tel: 510-601-1866
Fax: 510-601-1954
www.ca.audubon.org

July 14, 2008

California Department of Fish and Game
Wildlife Species Conservation Program
Attn: Lyann Comrack
1812 Ninth Street
Sacramento, CA 95814

RE: De-listing Petition for the American Peregrine Falcon in California

Dear Lyann,

On behalf of Audubon California's nearly 100,000 members and supporters, I thank the California Department of Fish and Game for the opportunity to comment on the proposed delisting of the *Falco peregrinum anatum* subspecies in California. The remarkable recovery from just five pairs in 1970 to over 300 active breeding sites in 2008 is a tribute to the combined efforts of dedicated non-profit groups as well as efforts by state and federal agencies.

On June 26th, Audubon California staff convened a forum of Peregrine Falcon experts to discuss the issue (see the attached memorandum for details). Based on this forum, coupled with our own independent analysis, a strong scientific case exists for the delisting of this subspecies. Audubon supports the delisting, provided that subsequent follow-up activities are built into the decision to ensure that population monitoring remains a part of the on-going peregrine management effort. We urge the Department of Fish and Game and allied public and private organizations to work together to invest the necessary resources to create and support such an improved statewide monitoring effort. Without future monitoring of nesting activity, nesting success, and tests for new contaminants like PBDE, biologists will not be able to detect new threats until the population is severely decreased.

The current federal monitoring plan relies on random samples of 30 pairs from California and funding is scheduled to run out in 2015. While this sample is potentially large enough to identify contaminants from nests if added to the sampling protocol, this testing needs to be funded. In addition, this sample size is unlikely to detect overall population decreases in California, so greater sample sizes should be considered by DFG biologists. Stable funding will be key to the continued recovery of this iconic subspecies.

Sincerely,

Gary Langham, Ph.D.
Director of Bird Conservation



Audubon CALIFORNIA

MEMORANDUM

Date: July 14, 2008

To: DFG Staff, Audubon Chapter Leaders, and Forum Participants

From: Gary Langham and Dan Taylor

RE: De-listing petition for the American Peregrine Falcon in California

Science and Policy staff from Audubon California convened a one-hour forum of Peregrine Falcon experts on June 26, 2008 to better inform Audubon's position on the proposed delisting of the subspecies *Falco peregrinus anatum* in California and to foster discussion among expert biologists from different organizations on this important topic. The following is a summary of the forum and subsequent discussions. Statements do not necessarily reflect the opinions of the experts' employers.

Summary: De-listing of the Peregrine Falcon in California is warranted due to the success of recovery efforts and dramatic reduction of DDT-type compounds in the environment. To help ensure a lasting recovery, however, existing statewide monitoring programs need to be expanded or supplemented by private or government sources. Peregrines should be monitored not only to track population changes, but also as a general warning system of environmental threats from contaminants. A random sample of eyries (~30) should be checked at least every three years statewide for occupancy and productivity, and a program to analyze eggshells and addled eggs from these eyries should be conducted. Since funding is not readily available for statewide monitoring, more discussion around fundraising strategies from state and federal agencies would be prudent.

Population and Recovery Goals in California: Between 1970 and 1992, several non-profit groups (e.g., Santa Cruz Predatory Bird Research Group (PBRG)), worked in conjunction with state and federal agencies (e.g., BLM, USFWS, and CDFG, etc.) to look for previously unknown breeding territories and to monitor the success of those known at the time. In 1976, at least 11 pairs were breeding in California (some nest sites were kept secret to protect eggs and young). By 1992, there were at least 113 active territories. Over this period, on average 82% of sites had active breeding (nest success was not monitored at all sites). Surveys after 1992 became spotty due to lack of funding, but in 2006 a survey throughout California found 236 nesting sites with approximately 71% with active breeding sites. By 2008, more than 300 breeding sites had been identified. These numbers support estimates of between 215 and 246 pairs in California.

During the augmentation period (1976-1992), the annual population increase was 16.83% (range - 2.56% to 58.33%). This period had complete coverage of known eyries statewide. During the

post-augmentation period (1993-2008), the annual population increase was between 4.08 – 5.01%. However, this period had diminished annual search effort, so the estimates are less certain.

All federal recovery goals have been met or exceeded and all historical areas re-occupied except the cliffs in Orange and San Diego counties. The Modoc Plateau has not been surveyed, so its recovery status is unknown. The recovery plan called for 120 pairs in California compared to the currently estimated 215-246 pairs. The plan also called for 1.5 young per nest; estimates from 2006 had close to 2 young per nest based on 154 nests among successful pairs.

The number of chicks determined during the 2006 survey was ~2 young per successful pair at eyries where the outcome was determined. This is not a representation of the population productivity as many nests were not revisited at fledging and does not account for active nests that failed. The 2007 Channel Islands subpopulation had a productivity of 1.46 young per active nest where outcome was determined ($n = 24$ of 25) and 33.3% of those nests failed.

Early recommendations for federal de-listing date back to the mid-1990s by the recovery team focused on the Pacific and Rocky Mountain regions. The California central coast and Channel Islands were then considered to need some protection, but more recent trends indicated that these regions also supported de-listing.

Concerns were raised about deserted inland nesting sites in Alameda and Contra Costa counties even though overall Bay Area doing well. Three of the eight nesting sites that had been used in the late 90s and early 2000s are still active. Lack peregrines at these sites do not appear to be a result of competition with the Prairie Falcon as most of these sites are devoid of both species. More thorough investigation of this problem and a comparison with inland sites would be useful.

The remarkable growth of peregrine populations in the state, and worldwide, supports de-listing. Since this growth has been so dramatic, more recent population viability models do not appear to be necessary as a condition of delisting. However, a population viability analysis based on a concerted monitoring effort would be useful.

Monitoring: Statewide population surveys in 2006 by Santa Cruz PBRG cost around 40-50k using volunteers and a few full time staff. A statewide survey in 2010 could cost upwards of 75-100k.

Without future monitoring of peregrine populations and eggshells, biologists may not be able to detect new threats until the population is again quite low. Since 1992, there have been no federal funds for statewide monitoring or captive breeding. Fish and Wildlife biologists survey 96 territories in the western region every three years (scheduled through 2015), and this translates into about 30 randomly selected territories in California. California surveys are conducted by Santa Cruz PBRG biologists and volunteers. The survey is intended to monitor percentage change in territory occupancy, nest success, and productivity across five western states and does not provide much information for California except as a sample.

The RSPB of England conducts annual surveys for all birds using volunteers, and this approach should be considered in California. Since the purpose of monitoring is to detect new threats and ensure stability of current population levels, it could be best to maintain the FWS sample and add eggshell monitoring. Random sampling of nests for contaminants goes beyond peregrines as the species is a superior environmental indicator overall.

Contaminants: The main cause of peregrine declines leading to federal listing in 1970 was eggshell thinning due to the DDT derivative DDE. Though DDT was banned in the US, some DDE residues appear to remain in Southern California from the DDT factory. Recent reports of a new contaminant from the flame retardant, PBDE, suggest that PBDE is a potential threat to lasting recovery of peregrines in California. Due to its potential impact on humans, PBDE will likely be restricted but it remains a concern for peregrines today.

Organochlorines (DDE) -- The Montrose settlement funded Santa Cruz PBRG to check all eight islands in 2007. Peregrines were found on all eight islands. Eggshell thinning from DDE residue had severely impacted productivity within these subpopulations, so the peregrine presence is encouraging. This area is important because residual DDE is often reported for this region of the state.

Flame retardants (PBDEs) -- Researchers at UC Berkeley have identified the highest level of flame retardants in the eggs of urban peregrines than any other organism. Experiments on kestrels suggest that young birds fed with meat contaminated with PBDEs have longer bones and feathers. When these birds breed in subsequent years the number of eggs laid and fledging success are both reduced. For peregrines, there is no comprehensive monitoring of contaminants except for a few pairs in the Bay Area and Los Angeles.

The overall effect of PBDEs is unknown and warrants further monitoring and study. In Greenland, a study was unable to tell the difference between DDE and PBDE, so the link to eggshell thinning by PBDE, often reported in the media, is dubious. Since eggshells are also thicker on average in urban birds and levels of PBDE appear to be highest among urban peregrines, the link to egg shell thinning seems unlikely. Still the reduction in breeding success shown for kestrels, means that eggshell thinning is not the only concern and more work needs to be done.

Future after De-listing: De-listing in California is unlikely to affect funding for monitoring since there is none now. The population in California appears to be robust and sustainable. Early concerns that building managers would eliminate nesting urban birds proved unfounded after the public popularity of the nesting falcons emerged.

Panelists: Twenty experts were invited to the forum and the following twelve participated in the forum or discussions:

Lloyd Kiff (lkiff2@msn.com)

Bob Risebrough, Bodega Bay Institute (pelecanus@igc.org)

Glenn Stewart, Santa Cruz Predatory Bird Research Group (gstewart@ucsc.edu)

Janet Linthicum, Santa Cruz Predatory Bird Research Group (janetl@ucsc.edu)

Brian Latta, Santa Cruz Predatory Bird Research Group (blatta@ucsc.edu)

Allen Fish, Golden Gate Raptor Observatory (afish@parkssconservancy.org)

Doug Bell, East Bay Regional Park District (dbell@ebparks.org)

Mike Green, US FWS (Michael.green@fws.gov)

Steve Thompson, National Parks (Steve.Thompson@nps.gov)

Pete Bloom (PHBloom1@aol.com)

Hans Peeters (HJPeeters@aol.com)

Sarah Stock, Yosemite NP (Sarah_Stock@nps.gov)

7-18-2008 (with additional material 7-20-08)

Lyann Comrack,

I am writing you regarding the American Peregrine Falcon and the proposal to remove the Peregrine from the California Endangered Species list.

Prior to DDT, field guide references available at the time, described the American peregrine as "uncommon". This means although prevalent throughout its range, there were no significant population densities of Peregrines within the United States. This statement is no longer true, as there are now areas in California and the U.S. that are so saturated with populations of Peregrine falcons that the sight of a peregrine is no longer an event. Here in California, the Big Sur, Channel Islands and Scott River areas, are densely populated. Every major city has well documented eyries. Small towns in California have eyries too, here in my hometown of Ramona, human population of about forty five thousand, I see with frequency, peregrines, throughout the year, hunting pigeons in town and grassland birds in agriculture. I saw an adult male not forty feet away while waiting for the fireworks to start at the Del Mar Fair on July 4th, this year. Another, an adult female while sitting in a sushi bar in Carlsbad, fifteen miles away and four days prior.

All coastlines, rivers and major canyons have peregrine eyries, as well as across the western deserts. This desert Peregrine population is now so large, that if control measures are not taken into account soon, I project an impact to Prairie falcon populations.

If the California Peregrine population were extirpated hypothetically, the state would recruit new peregrines from other states and nations adjacent to California and the U.S. within a decade or less that would equal the pre-DDT population density.

Threats to Peregrines as well as all raptors here in California in order of most significant impact, except the unavoidable such as collisions with autos are, the lack of a captive population of Peregrines by California falconers to breed a new generation of endemic Peregrines, should the continents Peregrine population suffer a new decline.

Lesser threats are electrocution on utility poles, ingestion of lead bird shot and new bio-cides such as grain laced with chemicals to prevent pest birds from reproducing. Also, power generating windmill machines, are definite navigational hazards with which raptors have no prior selection process and as such, fly directly into the turning blades. None of these lesser threats receive any mitigation.

Happily, loss of habitat is a nonfactor as these birds reside in the city as well as in agriculture and pristine areas such as National Parks like Yosemite.

There is no longer a need to list the Peregrine falcon as Endangered because falconers and The Peregrine Fund, have outdone themselves, in the efforts to re-introduce the falcon to its original range.

The fact that falconers must petition the state to de-list the Peregrine, manifests a flaw within the states E.S.A. This flaw is that the act lacks a mechanism to automatically de-list a species, should that species be so fortunate to re-bound from a population crash.

The state of California's DFG efforts to protect the Peregrine, coupled with falconers efforts to re-introduce the peregrine have been successful. Please consider the de-listing of the Peregrine falcon from the E.S.A.

Thank you,

Thomas N. Stephan
President, C.R.A.G or California Raptor Advancement Group



Golden Gate Raptor Observatory

Golden Gate National Parks Conservancy

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Lyann Comrack
Wildlife Species Conservation Program
California Department of Fish and Game
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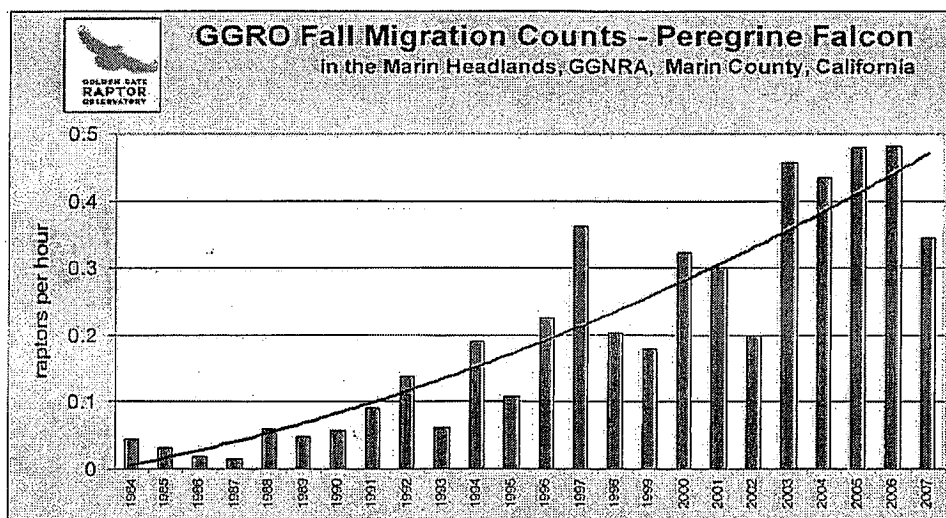
July 15, 2008

Dear Ms. Comrack:

Thank you for the chance to comment on the recent *Proposal to Delist the Peregrine Falcon* from the California State Endangered Species List.

DATA SUPPORT

I have included data (see attached XLS file) from our annual raptor migration count in the Marin Headlands, a centerpiece of GGRO research since 1986. Our counts are conducted on all fog-free days from 0930 to 1330, from mid August through November, from Hawk Hill in the Marin Headlands. This is the site of the largest known overflight of migrant raptors in the western US. Volunteer teams assisted by Research Interns are responsible for counting all diurnal raptors using a prescribed Quadrant methodology. We created the Quadrant System in the late 1980s to ensure the greatest daily and annual consistency in data collection at this site.



Our data corroborate the increase of Peregrine Falcons in California from the mid 1980s through the present, although I should note that our banding studies document that some of these birds may be coming from as far north as Crater Lake in Oregon, and from the San Juan Islands in Washington (Buzz Hull, pers. comm). We also, on occasion, see Peale's Falcons (*Falco peregrinus pealei*) in the Headlands, a subspecies known to originate on the coast of British Columbia.

DELISTING CONCERNS

GGRO's migration data closely track the known number of Peregrine nests in the state (from 5 in the early 1970s to some 215 to 246 pairs estimated today), and the trends are generally favorable. However, I am still concerned about several areas of Peregrine biology and ecology in California:

1. **PBDEs.** California Department of Health Services recently announced that Peregrines in northern California show contamination by an unusually high level of flame retardants. The literature on these PBDEs and their impacts on bird physiology is limited, although studies in Greenland show potential for a DDT-like impact of eggshell thinning.
2. **DDT.** Residual DDT-DDE is known to occur in San Francisco Bay, particularly in the bay floor off the Richmond waterfront (see, eg, Potential Impacts of Dredging on Pacific Herring in San Francisco Bay by M Connor, et al, pp 44-46). Given the generally poor rate of reproductive success in recent years for SF Bay Area Peregrines, ie, one or no chicks fledging seems to be the norm.
3. **Monitoring.** Although as many as 300 Peregrine nest sites have been identified from the mid 1970s through 2008, according to the Santa Cruz Predatory Bird Research Group, as few as an estimated 215 sites have been occupied in 2008. Generally state nest surveys have been piecemeal since 1992. Given the regional variability in Peregrine nesting success and in contaminant loads, future and accurate sampling of the entire state demands a carefully-planned and executed methodology to overcome local biases.

RECOMMENDATIONS

Given the concerns above, I believe that complete delisting of the Peregrine from California Endangered Species status would be premature unless a more complete understanding of the impacts and threats of residual DDT and PBDEs could be achieved. Additionally, I think it would be a mistake to delist the Peregrine Falcon (or any species) without a comprehensive and funded statewide monitoring plan.

The federal monitoring plan includes some 30 nest sites in California, some 10% of the known nest sites, but is scheduled to take place every 3 years and only through 2015. I am not convinced that this will allow us to effectively monitor the status of California Peregrines. After 40 years as an endangered species, after many millions of dollars spent on its recovery, the once-precarious Peregrine population deserves a little better surveillance than this.

Until some or all of these problems are resolved, I would recommend that at this time, the Peregrine Falcon be downlisted to State Threatened status.

Thanks again for the chance to comment.

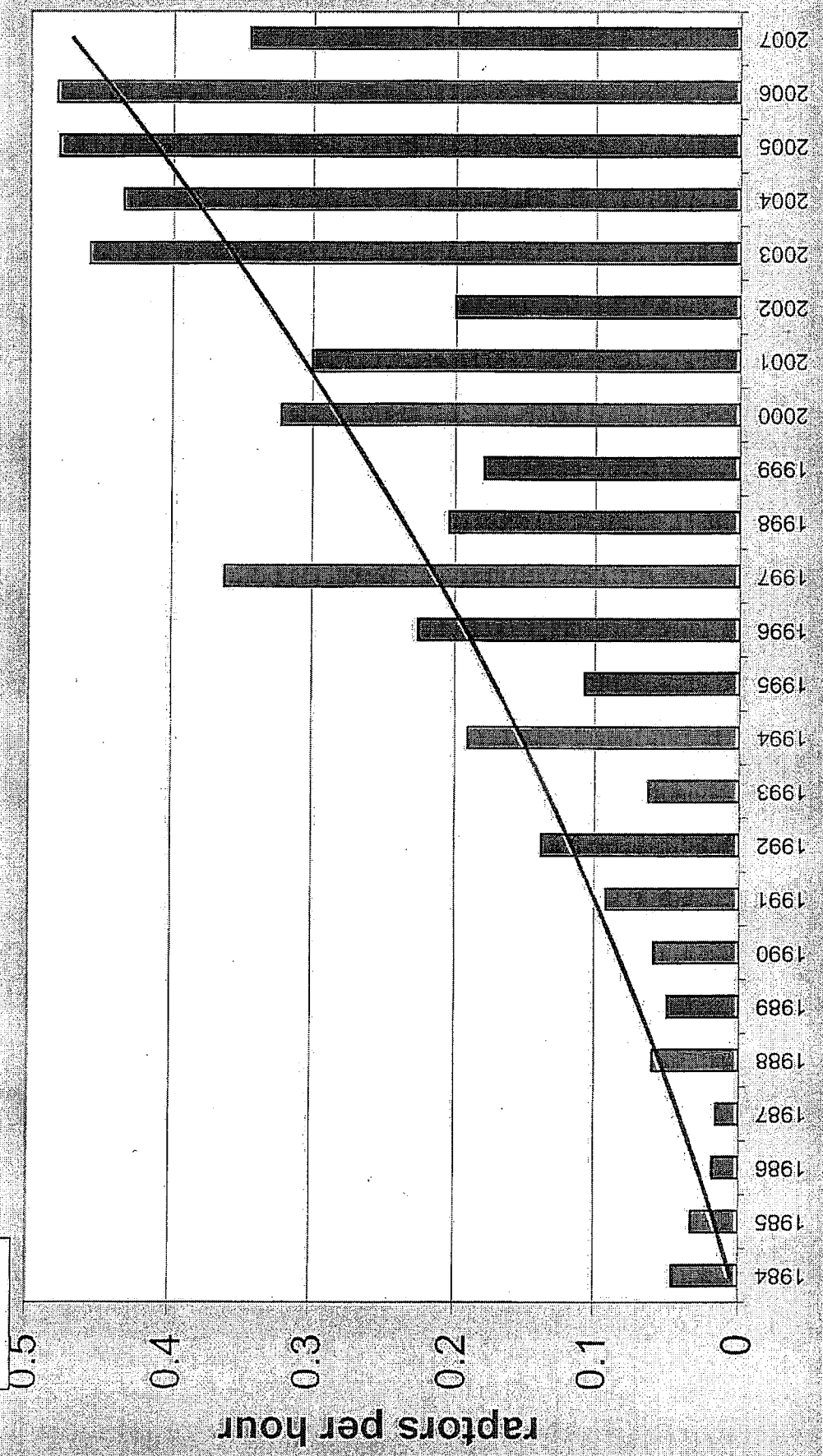
Yours sincerely,

/s/

Allen M. Fish
Director
Golden Gate Raptor Observatory
afish@parksconservancy.org
415-331-0730

GGRO Fall Migration Counts - Peregrine Falcon

in the Marin Headlands, GGNRA, Marin County, California





North American Falconers' Association

July 1, 2008

Lyann Comrack
Wildlife Branch - Nongame Wildlife Program
California Department of Fish and Game
1812 9th Street
Sacramento, CA 95811

Subject: Comments for Consideration Concerning the Removal of the American Peregrine Falcon from the List of Endangered Species in California

Dear Ms. Comrack:

On behalf of the Board of Directors and the membership of the North American Falconers Association (NAFA), we submit the following comments for consideration by the California Department of Fish & Game (DFG) in its proposed delisting of the peregrine falcon (*Falco peregrinus*) from the state list of threatened and endangered species. We commend the proposed action by the DFG as the peregrine is no longer considered endangered or threatened anywhere in North America by the Fish & Wildlife Service (USFWS) under the Endangered Species Act (ESA). In fact, all peregrine populations in North America, including the population in California, have recovered to levels at or above their pre-DDT numbers. NAFA supports removal of the peregrine falcon from the List of Endangered Species in California and, as the practice of falconry does not have a negative impact on raptor populations, recommends managing peregrine populations for the use in falconry in California consistent with regulations for any other healthy raptor species.

American Peregrine Falcon Population Status in California

Bond (1946) indicated that at least 65 pairs of peregrines nested in California during the late 1930's and early 1940's, prior to the advent of DDT. He also estimated that as many as 120 pairs could be present. Later studies (Herman, 1971) suggested that Bond's upper estimate was probably more realistic and, consequently, the USFWS and the DFG adopted 120 breeding pairs as the recovery goal for the peregrine in California. Subsequent management of the remnant population of peregrines in California and the augmentation of that population with the release of captive-bred birds resulted in a rapid increase in the size of the peregrine population. Regular surveys of breeding peregrines conducted in California since 1971 indicate that the recovery goal was reached in 1992. A minimum population of 233 pairs of peregrines currently nests in California. A graphical illustration of the peregrine population increase in California may be found in Attachment 1.

Lyann Comrack
Wildlife Branch - Nongame Wildlife Program
July 1, 2008
Page 2

Use of the Peregrine Falcon in Falconry in California

The peregrine falcon has been widely used in falconry probably since the practice became common over four thousand years ago. In the US, individuals began to take up the practice of falconry in the Mid-Atlantic States during the 1930s. Falconry did not become popular in California until the 1960s, by which time the peregrine population had crashed. As a result, Walton (2003) estimates that no more than 65 peregrines were taken from the wild for falconry in California. Falconry was never a factor in the decline to the peregrine in California or elsewhere. In fact, the practice of falconry has no negative impact on raptor population for the following reasons: The removal of a nestling, as has been shown with studies of prairie falcons, actually increases the successful fledge rate for the remaining young, thereby negating any impact of the take. The sharing of a limited prey resource by fewer nestlings no doubt accounts for this occurrence, which probably takes place in most raptor populations. Additionally, studies have shown that passage raptors taken for falconry and released the following spring have a better chance for survival than if they had been left in the wild.

In the **Final Environmental Assessment on Take of Raptors From the Wild for Falconry and Raptor Propagation (June 6, 2007)**, the U.S. Fish and Wildlife Service, announced a Finding of No Significant Impact (FONSI) for take of raptors for those purposes. Consequently, NAFA urges the DFG to allow the use of the peregrine in falconry under the existing regulations and federal guidelines. No special considerations, limits or quotas are necessary to protect the peregrine in California, beyond those in the falconry regulations. Now that their populations have been restored, the peregrines use in falconry should be no more restricted than any other raptor with a healthy population. While we recognize that falconry "take" is not possible until "fully-protected" status is changed, many states now allow "take" and the California population has reached a level where such use of the resource would be sustainable.

Thank you for considering the above comments on the peregrine delisting in California. If you would like to discuss this important topic further, please feel free to contact me at

Respectfully Submitted,



Dan Cecchini, Jr., President
North American Falconers' Association

Attachments

REFERENCES:

Bond, R. M. 1946. The Peregrine population of western North America. *Condor* 48:101-116.

Herman, S. G. 1971. The Peregrine Falcon population decline in California. *American Birds*. 25:818-820.

Walton, B. J. 2003. Restoration of the Peregrine Falcon in California. Pages 157-171 *in* Return of the Peregrine (T. J. Cade and W. A. Burriham, Eds). The Peregrine Fund, Boise, Idaho.

From: <Welle128@aol.com>
To: <LComrack@dfg.ca.gov>
Date: 7/4/2008 1:05 PM
Subject: CA peregrine.....an Oregonians point of view

My name is Bob Welle, I am the president of the Oregon Falconers Association. I have been very active in the delisting process of the Peregrine falcon in Oregon as well as the changing of the Oregon Falconry regulations to allow wild eyas Peregrines to be used for falconry purposes. With the support of the ODFW and Portland Audubon Society we opted to adopt the current federal guidelines regulating Peregrines for use in Falconry. We also adopted a provision in our state regulations that allowed one falconry permit to be available for a nonresident falconer. This original permit was issued to a falconer from California. This year the 5% quota amounted to 7 permits being issued in Oregon. Three of these permits were filled with the help of Audubon from urban bridge-sights that experience problems during the nesting season. Two have been taken from wild eyries at this point. My point is that a 5% take has no impact on wild populations and I see no reason why California shouldn't follow the lead of Oregon and Washington in following the Federal guidelines for the delisting of the Peregrine and it's use in the sport of Falconry.

Bob Welle
Canby, Oregon

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The Peregrine Fund

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Working to conserve
birds of prey in nature.



Wildlife Branch – Nongame Wildlife Program
California Department of Fish and Game
Attention: Lyann Comrack
1812 9th Street
Sacramento, CA 95811

June 9, 2008

Re: American Peregrine Falcon

Dear Ms. Comrack:

I am Peter Jenny, President of The Peregrine Fund and I am writing to comment on California's consideration of revising the status of the American Peregrine Falcon. We are an organization with a longstanding interest in the conservation of peregrines, having restored them to the eastern U.S. where DDT caused their extirpation during mid-century. That project and our considerable work in peregrine recovery elsewhere have given us an understanding of the ecology and demography of that species. In following the progress of recovery over the years, I can tell you without reservation that peregrine populations throughout North America are doing very well and, in all but a very few cases, they greatly exceed historic estimates of overall numbers. They should be delisted in all states.

DDT is the only known cause of peregrine decline, and populations began rebounding following its discontinuance in 1972. It was generally possible during the 1970s and 1980s to gauge the overall growth of subpopulations through field studies, especially those associated with the release programs, particularly in the eastern U.S. where the terrain is negotiable. Keeping track of the numbers of pairs in the mountainous west, however, has been daunting. Since the 1990s, peregrines have so permeated that vast region that the number of eyries can now be only be broadly estimated.

Like territorial cliff-nesting falcons worldwide, peregrine pairs are scattered in general accordance with the distribution of suitable cliffs (now including tall buildings and bridges, the ecological equivalents of cliffs). This scattering and the practical difficulty of observing remote natural cliffs make comprehensive assessment enormously expensive, a factor that complicates the follow-up monitoring programs intended under federal regulations. The numbers of pairs recorded in regional surveys, however, and incidentally by numerous wildlife biologists and amateurs in recent decades are unequivocal in displaying full scale repatriation of the American southwest of which California is a part. A prominent example of a robust population is that in the four-state area of Colorado, New Mexico, Arizona, and Utah peregrine expert Dr. James Enderson estimates 1700 pairs. He bases this on extrapolation from intensive surveys in selected areas to overall distribution of habitat in the larger region. Glen Canyon National Recreation Area alone has over 100 known pairs, while the Grand Canyon downstream is believed to have at least twice that number.

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Excepting the period of DDT use, peregrine populations worldwide have long been known for their stability. The underlying reasons are that (1) peregrines in most areas eat such a wide variety of prey (birds and bats) that fluctuations in the abundance of a few species are usually inconsequential in the overall scheme, (2) peregrine habitat is general and has mostly to do with the shape (physiography) of the landscape -- for example, peregrines hunt migrant birds as they pass through the gulfs of air near eyrie cliffs and over water, and (3) healthy peregrine populations are characterized by robust reserves of non-breeding adults (floaters) that fill territory vacancies as they arise, thereby buffering the breeding population against decline. Breeding territories therefore tend to remain occupied year after year.

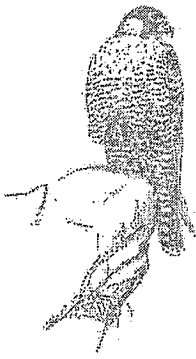
When post-DDT populations were small and expanding, peregrines tended to choose the big cliffs first; nowadays we find them on smaller ones than we thought serviceable in the past. In California, they are now widely distributed on mountain cliffs, especially along creeks descending from the Sierras, Cascades, coastal mountains, and foothills. They nest along virtually the entire coast, including the California Channel Islands, wherever there are suitable cliffs or their equivalents. I understand that a few pairs even nest in trees along the far northern coast. The Predatory Bird Research Group at the University of California, Santa Cruz, has recorded more than 250 peregrine falcon nesting sites since the 1980s. That figure represents more peregrines than were known in California prior to the DDT era.

Peregrines will continue to be regarded as environmental indicators because of their topmost position in complex food webs. The species has lately demonstrated the persistence of flame retardants in the California ecosystem. Thus far, there is no indication that these compounds are affecting peregrine demography, but the species nevertheless continues to demonstrate its value in revealing such contaminants in biological communities. Monitoring peregrine populations and analyzing their addled eggs may be important as new compounds are invented and used. The best way to monitor the well-being of the California peregrine population is for various interested people to continue reporting their sightings to the Predatory Bird Research Group as has been the practice these past several decades. Meanwhile, it is pointless to regard the species as endangered or threatened. Peregrines are doing just fine in California and elsewhere. I am most happy to say that!

If you would like further information, please phone me at 206-362-3716 or email pjenny@peregrinefund.org.

Respectfully,


J. Peter Jenny
President
The Peregrine Fund



The Peregrine Fund

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birds of prey in nature.



June 23, 2008

Wildlife Branch – Nongame Wildlife Program
California Department of Fish and Game
Attention: Lyann Comrack
1812 9th Street
Sacramento, CA 95811

Re: Peregrine Falcon delisting

Dear Ms. Comrack:

I am writing to offer my viewpoint on the proposed delisting of the American Peregrine Falcon in California. I am a biologist with 35+ years of experience in field ecology and conservation of raptors. I am Senior Scientist for The Peregrine Fund and a research associate of the Predatory Bird Research Group, University of California, Santa Cruz. I wrote a Master's thesis in 1966 on the fall migration of arctic peregrines on the Texas coast. I attended the historic world conference in Madison Wisconsin in 1965 on the decline of peregrine populations and the twenty-year follow-up conference on peregrine recovery in Sacramento in 1985. I have published three conceptual papers on raptor population dynamics, one of which was entirely devoted to the peregrine, and was a coauthor of the 2002 peregrine chapter in the Birds of North America Series. I studied the ecology of nesting peregrines in Texas, Mexico, and the California Channel Islands with emphasis on the effect of pesticide contamination on reproduction. I tracked peregrine falcons by airplane on long-distance migrations and conducted aerial surveys of ranging, survival, and habitat selection. I was a member of Peregrine Falcon Recovery Team for the western states.

The peregrine is not a species whose habitat is in danger. Peregrines eat virtually all bird and bat species of appropriate size, catching them in a wide variety of circumstances, for example, in gulfs of air, over water, marshes, beaches, deserts, and even over forest canopies, depending on terrain profiles and prey densities. This broad niche gives stability to peregrine populations, as does their tendency to accumulate reserves of nonbreeding adults (called floaters) that fill breeding vacancies as they occur.

Ecologically, then, the peregrine is a robust, highly resilient species with a nearly worldwide distribution. Even so, however, the species catastrophically declined in North America and Europe because a persistent pesticide (DDT/DDE), introduced to agriculture in 1946, permeated the ecosystem and prevented peregrines and certain other avian top predators from reproducing. Another organochlorine (Dieldrin), which killed peregrines outright, may have also contributed to the decline. By the early 1970s, only a few peregrine pairs were known in California.

Following the banning of DDT in 1972 and subsequent releases into the wild of numerous captive-bred peregrines by the Predatory Bird Research Group (PBRG), wild pairs increased to a point of healthy restoration by the 1990s. Peregrines now occupy all California habitats suitable for them, including the Sierras, the Coast Ranges, and the coast itself; moreover, they have

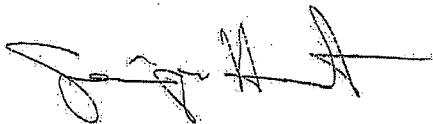
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extended their occupancy to tall buildings and bridges. Peregrine pairs have been reported in recent decades at more than 250 sites in California, and I believe that the actual number of occupied territories could be twice that, considering the vast amount of habitat, much in private hands. Indeed, it is expensive and time consuming to survey peregrine breeding populations because most pairs nest on remote or otherwise difficult-to-observe cliffs. But when one makes the effort, one generally finds pairs where they are expected, and indeed many are now found on small cliffs formerly considered marginal. On the Channel Islands, where I studied (all) seven pairs of peregrines in the early 1990s, there are now at least 20 pairs. It seems that wherever my wife and I look for peregrines along the river canyons in our area of northeastern California, we usually find pairs, and we get similar reports from elsewhere. Peregrines are where they are supposed to be. They have fully recovered as a wild species in California and elsewhere in the American west.

I think it's a good idea for the Predatory Bird Research Group (PBRG) and the Department of Fish and Game to continue keeping data on peregrine territory occupancy. The peregrine is a top avian predator and therefore an indicator of contaminants that bioaccumulate and biomagnify. The recent evidence of PBDE flame retardant residues in peregrine eggs is a case in point. Fortunately, peregrines are charismatic to the extent that they attract devotees who tend to monitor their occupancy and productivity on a local scale. This has been going on for decades now, and that is why we have so many reports of peregrines nesting. PBRG and CF&G have over the long term acted as networking hubs in keeping records, and if the collective interest in monitoring and data-recording continues, we might again receive early warnings of unseen threats to the ecosystem as occurred with DDT over forty years ago. Let's hope not, but meanwhile, the peregrine is alive and well in California and doesn't need to be on anyone's list.

If you'd like more information, just phone me at 530-336-7281 or email grainger@peregrinefund.org.

Respectfully,



Grainger Hunt, Ph.D.

552-205 James Drive
McArthur, CA 96056
530-336-7281
grainger@peregrinefund.org



WRTC's purpose is to disseminate data, share expertise and pass on to posterity the art and science of obtaining wild raptors for falconry.

Wild Raptor Take Conservancy

Wildlife Branch - Nongame Wildlife Program
California Department of Fish and Game
Attn: Lyann Comrack
1812 9th Street
Sacramento, CA 95811
Dear Lyann,

WRTC is an international non profit organization dedicated to the conservation and preservation of wild raptors taken for falconry purposes. We want to thank the California Department of Fish and Game for this opportunity to comment on the delisting of the peregrine falcon in California. We are in full support of California Department of Fish and Game (DFG) proposal to remove the American peregrine falcon from the California endangered species list.

The Tundra peregrine was never endangered but was placed on the endangered species list because of the look alike clause of the Endangered Species Act (ESA). In 1994 the US Government removed the Tundra peregrine from the ESA, 14 years ago. The Tundra peregrine is the most highly migratory peregrine, flying from the Tundra to South America each fall. This is the falcon that has been traditionally taken in the fall, on passage, (first year of life), by falconers and utilized for falconry. The mortality of first year birds is about 70% and they are more likely to survive in a falconer's hand than in the wild. These birds were traditionally released in the spring to return to their breeding grounds and were more likely to survive.

In 1999, almost 10 years ago, the American peregrine was removed from the ESA by the US Government. Their numbers have grown exponentially and have far surpassed the numbers documented pre DDT. Falconers have traditionally utilized these birds as well in the same way as the Tundra peregrine. The government has done studies to document the numbers of Peregrine falcons in North America and their numbers surpass many of the other non endangered raptors utilized for falconry in this country. Last year, in Curry Hammocks in the Keys of Florida, they counted 2100 peregrines over a month period and estimated that they were counting 10-16% of the migratory population and approximately 40% were juvenile peregrines. The majority of these falcons were of the Tundra subspecies.

The US government also did a recent study of the impact falconers have on wild taken raptors. The study showed that falconers make no significant impact on raptor populations and that there is a beneficial impact and improved survival of the raptors taken as well as improved survival of the nestlings left. Falconers started the Peregrine Fund, and because of their dedication, knowledge of breeding and donation of money and peregrines, thousands of peregrines were released in the United States. Falconers were the primary force responsible for the return of the peregrine in North America. We recommend that the peregrine falcons use in falconry in California be consistent with the regulations for any other healthy raptor species. WRTC also believes that there should be no special considerations, limits or quotas necessary to protect the peregrine in California beyond those in the falconry regulations.

WRTC would like to again thank you for the opportunity to voice our support to delist the peregrine in California and we are in full support of that decision.

Sincerely,

James M. Ingram III MD
President of WRTC
402-505-0842

Appendix 4: Recent news articles regarding the status of the American peregrine falcon
(copies appended)

- Jane Kay, May 8, 2008. "Flame retardant found in peregrine falcon eggs", San Francisco Chronicle, 4pp.
- Steve Hahn, June 18, 2008. "Higher calling-how UCSC biologists helped bring back the peregrine falcon", Metro Santa Cruz, 2pp.
- Michael Gardner, June 23, 2008. "Are falcons no longer endangered?" San Diego Union-Tribune, 5pp.

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Flame retardant found in peregrine falcon eggs

Jane Kay, Chronicle Environment Writer
Thursday, May 8, 2008

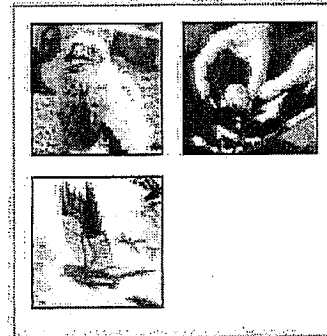
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(05-07) 18:58 PDT -- The eggs of peregrine falcons living in California's big cities contain some of the highest levels ever found in wildlife of a flame retardant used in consumer products, a new study has found.

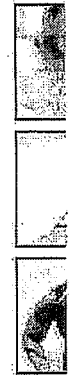


Studies of peregrine falcon eggs and chicks by state scientists reveal that the birds hunting in San Francisco, Long Beach, Los Angeles and San Diego are ingesting the flame retardant called PBDEs, believed to leach out of foam mattresses, synthetic fabrics, plastic casings of televisions, electronics and other products. The research shows that the indoor chemicals can contaminate the outdoors and even humans.

The predator birds - which can fly 200 mph - feed on pigeons and other birds, which probably pick up the chemicals in the environment from sewage, landfills and runoff, scientists say. Humans can be exposed by inhaling household dust and absorbing the chemicals through the skin.

"Urban wildlife are the sentinel species that can tell us about chemicals of emerging concern that are coming from city exposures. Information from these species can be useful to us in protecting the sensitive members of our population like infants, children and pregnant women," said Kim Hooper, one of the leading research scientists with the California Environmental Protection Agency's Environmental Chemistry Laboratory.

The work, which Hooper will present today at the annual meeting of the Northern California Society of Environmental Toxicology and Chemistry at UC Berkeley, is part of the state's Wildlife Early Warning System supported by the California Department of Toxic Substances Control.



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Included in the study are unhatched eggs and a dead chick from nests of San Francisco's celebrity pair of peregrine falcons, George and Gracie, and in the future might include an unhatched egg from Carlos and Clara, who are raising young at San Jose City Hall.

The prevalence of PBDEs, or polybrominated diphenyl ethers, is raising concern among research scientists. The flame retardants are known as endocrine disrupters because they interfere with the function of the thyroid hormone, which is critical to the proper development of the brain and nervous system. Hooper is concerned that the levels of PBDEs in peregrine falcons are close to levels damaging developing neurological systems in lab rats and mice.

Compared to PCBs

Scientists compare the flame retardants to the notorious PCBs, or polychlorinated biphenyls, because of their potential for harming wildlife and humans, the persistence in the environment and the enormous amounts in commercial use. Three decades after PCBs were banned as insulators in transformers and capacitors, they are still found in San Francisco Bay, although their concentrations in birds and fish are diminishing as levels of PBDEs rise.

Two years ago, California was the first state to ban two of the commercial mixtures of PBDEs - octa and penta. State chemists Hooper and Myrto Petreas and their teams had found that women in Northern California had some of the world's highest PBDE levels in breast milk and tissue. Researchers also found that the flame retardants were contaminating the bay's harbor seals and seabirds, which feed on fish.

A third mixture, called deca, is still in use and represents 70 percent of the PBDEs put into consumer products. Assemblyman Mark Leno, D-San Francisco, has introduced a bill (AB706) to ban all brominated and chlorinated flame retardants, a measure supported by environmental groups.

The four major manufacturers of flame retardants - Albemarle Corp. and Chemtura in the United States, Tosoh in Japan and Israeli Chemicals Ltd. - oppose the legislation, as does the trade group Bromine Science and Environmental Forum.

John Kyte, a spokesman in Washington, D.C., said the group maintains that deca is one of the most studied and effective chemical flame retardants available for electrical and electronic equipment and contributes to saving thousands of lives a year.

One of the concerns over deca is that the amount in the environment is under-reported and might be more prevalent than is measured in the environment because it is unstable and breaks down to other forms of PBDEs.

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But the trade group's literature says the deca mixture is not a significant source of the wide array of PBDEs found in the environment.

The state findings that will be released today appear to contradict that argument.

The state chemists found high deca levels when they measured the concentrations in peregrine falcons that live in California's big cities. Overall, the eggs from the birds in urban areas contained higher levels of PBDEs than eggs from coastal or inland regions.

They also found what could be the breakdown products of the deca in the peregrine falcons. These and other data are consistent with the breakdown of the deca to the banned PBDEs, they say.

State scientists decided to study the predatory birds, although there are only seven known nesting pairs in the Bay Area. Along with other raptors and brown pelicans, their numbers plummeted when DDT and other chlorinated compounds caused thinning and breakage of eggshells. Scientists fear the PBDEs will do the same.

The UC Santa Cruz Predatory Bird Research Group at the Long Marine Lab in Moss Landing had 131 eggs on hand for the study, including 95 from California. Researchers had been saving and freezing unviable eggs since the mid-1970s when the scientists started trying to repopulate the species. Most were found as unhatched eggs in wild birds' nests.

"We certainly weren't thinking about flame retardants, but when you have a biological sample, you don't just throw it away," said biologist Janet Linthicum, a research associate at the bird research group.

George and Gracie

In the study, two eggs and one dead chick produced by San Francisco's George and Gracie were among the samples containing high levels of PBDEs, including deca, Hooper said.

The high-flying pair gained fame as Market Street observers watched them hunt birds on the wing downtown. In 2005, they set up a nest on the 33rd floor ledge of PG&E headquarters, where a video camera recorded their intimate personal life for the Web. The next year, they moved to a skyscraper across the street at 201 Mission St. Last year, the Santa Cruz lab removed the eggs from their nest on the west span of the Bay Bridge, saying it was necessary to safeguard the babies when they fledged. The mating pair returned briefly to the PG&E nest box to produce an egg that was incubated by the bird lab. Since then, the birds have disappeared from public life.

George and Gracie haven't been seen at all this nesting season.

"We don't know what happened to George and Gracie," said Linthicum. "We're hoping they'll show up someplace else."

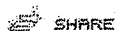
Online resources

For information on PBDEs:

www.epa.gov/oppt/pbde/#uses

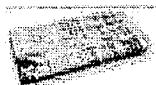
E-mail Jane Kay at jkay@sfchronicle.com.

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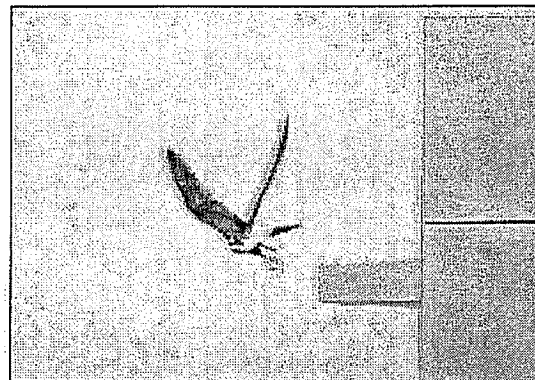
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Higher Calling

How UCSC biologists helped bring back the peregrine falcon.

By Steve Hahn

The peregrine falcon, nearly wiped out in the late 1960s by the pesticide DDT, now boasts a population so healthy that state wildlife officials are considering taking it off the endangered species list, and environmentalists are actually supporting the decision.



Photograph by Nick Dunlop

Freebird: Clara, a peregrine falcon nesting on San Jose's City Hall, may be officially delisted by the state along with the rest of her ilk.

For UCSC Predatory Bird Research Group coordinator Glenn Stewart, a key player in the species' rehabilitation, it's been a long road. It all started in the late '60s, when Stewart and other biologists began to notice that eggshells from falcons and other large birds of prey were becoming thinner due to DDT pollution. Newborn chicks were dying in droves. By 1970, only two pairs of peregrine falcons were successfully breeding in California, down from at least 100, and the species was extinct east of the Mississippi.

It would be an unprecedented gamble, but the stakes were high. A group of biologists, many from UCSC, embarked on a captive breeding program.

"Back in those days, birds of prey had never been bred in captivity, and many people said it would never work," Stewart said. "Those efforts were eventually successful, and people ended up emulating what we did. Today, breeding falcons in aviaries is very common."

The tale Stewart tells describes a mixture of hard-nosed conservation biology and extreme sports. Once the youngsters had hatched, their human protectors would set out on the epic quest of placing them back in natural nests built by the wild adult falcons.

"Some of these UCSC biologists were scaling 1,000-foot cliffs, going back and forth to falcon nests in order to manage them in the wild," remembers Stewart. "Now we've got peregrine falcons so common, we have webcams showing them on our website. So there you go."

In 2006, biologists officially recorded almost 250 pairs of the falcons in California, but they estimate there are actually closer to 300 (it's hard to survey the entire state). This amazing rebound led the federal government to take the peregrine falcon off the endangered species list in 1999. Now, the California Department of Fish and Game is considering following suit, but it wants to hear from the public first.

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Stewart and others at UCSC support the delisting. "For the people involved in this since the 1970s, we feel it's an accomplishment we should celebrate," says Stewart. "There was a long period of time when you just never saw one in the wild. Now I see them fairly commonly over Santa Cruz. My son played baseball on the high school team for a while, and at his games I would look up and I could see the falcons flying above."

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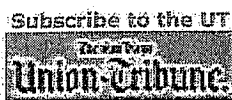
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The San Diego Union-Tribune

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Are falcons no longer endangered?

State weighs enthusiast's request for list removal

By Michael Gardner
U-T SACRAMENTO BUREAU

June 23, 2008

SACRAMENTO — Brian Latta crept along the catwalk of the Bay Bridge connecting Oakland and San Francisco, just another day at the office for the biologist dedicated to preserving the American peregrine falcon.

This time, however, his mission in late May ended in the disappointing discovery of two lifeless chicks abandoned by their parents dubbed Corona and Dapper Dan.

Nevertheless, the loss was not a fatal blow to Latta's work or to the future of the species.

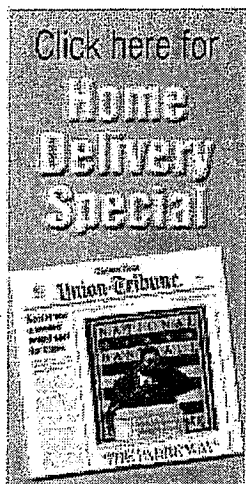
The peregrine falcon — one of the first birds to be protected by California's Endangered Species Act, in 1971 — is making a comeback. So much so that the state Department of Fish and Game is seriously considering taking the peregrine off the endangered list in response to a petition filed by a San Bernardino County falconer.

"The population has pretty well recovered," said Latta, a University of California Santa Cruz field biologist. "Most of the historic territories has



CHARLIE NEUMAN / Union-Tribune
The peregrine falcon has remained under state protection as captive-breeding programs continued.





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been reclaimed."

And some of the new-found territory is strictly 21st century, far-removed from historic cliff sanctuaries above Yosemite, the Grand Canyon and Yellowstone. Today, bridges and skyscraper ledges have been claimed for nests. Those perches allow a sweeping view of the plentiful pigeons and other city prey that can be snatched by the falcon's talons in midflight. Nationally, Web cams from San Jose to Buffalo, N.Y., capture the bird's habits close-up for all to see.

In San Diego, visitors to Torrey Pines can happen upon falcons gliding along the cliffs. Others have been spotted off the San Diego-Coronado Bridge. Elsewhere, the peregrine, with a wingspan of up to 43 inches, often nests in the faces of El Capitan in Yosemite and the Great White Throne in Zion National Park in Utah, prompting temporary restrictions along some routes up the country's rock-climbing meccas.

Falcons have a place in history, traced to ancient times when pharaohs and emperors captured and trained the birds to hunt. Falconry also found a place in the New World, where the peregrine could once be found coast to coast. The peregrine is considered the world's fastest bird, clocked at diving speeds of more than 200 mph.

But sightings of the peregrine falcon grew rare in the second half of the 20th century. Like the bald eagle, the peregrine nearly disappeared — primarily a victim of ingesting prey contaminated by DDT. The now-banned insecticide greatly weakened the birds' shells, resulting in the eggs being crushed during incubation.

"The numbers were crashing," said Dale Steele, a state endangered-species specialist.

After a national recovery campaign, a share of which was funded by falconry enthusiasts, the federal government declared in 1999 that the American peregrine was no longer endangered nationally. In California, however, the falcon remained under state protection as captive-breeding programs continued.

Convinced that the population has recovered, falconer Gary Alten of Rancho Cucamonga has petitioned the state Fish and Game Commission to declare that the peregrine no longer warrants its endangered status.

FALCON FACTS

Size: Wingspan up to 43 inches; body 15-21 inches; 1-½-2-½ pounds

Life span: 13 years (average)

Fastest bird: Clocked diving at more than 200 mph

Nesting: In spring along cliffs, on bridges and skyscraper

State listing: Declared endangered in 1971

Federal listing: 1973; removed 1999

Breeding pairs: 1,650 in the United States and Canada

California nests: 271 known sites

Original state goal: 120 nesting sites

Found in: 41 states

Online: peregrinefund.org;
www2.ucsc.edu/scpbrg/index.htm;
calhawkingclub.org

Public comments on the proposal will be accepted by state officials until July 15.

Alten, who has practiced the sport of falconry for 46 years, backed up his contention with self-gathered data, noting that there are 271 known nest sites in the state. That's far more than the original recovery goal of 120 adopted when the bird was first declared endangered and the 167 counted in 1999, he said.



PAUL SAKUMA / Associated Press
University of California Santa Cruz field biologist Brian Latta carried a box containing two dead peregrine falcon chicks last month at the Bay Bridge connecting Oakland and San Francisco.

"It's certainly time to let this bird out. It's no longer endangered. All the recovery goals have been met," Alten said.

Not everyone is convinced the threat to the falcon has subsided.

"If this can be shown to have no impact on peregrine falcons in the wild, then I'm not opposed to it," said Bill Everett, a founding member of the La Jolla-based Endangered Species Recovery Council.

But Everett remembers all too well his days with the U.S. Fish and Wildlife Service when peregrine eggs were so valuable that federal agents were assigned near nesting sites around the clock.

"Each and every one of those sites had a 24-hour guard on them so falconers would not steal their young from the nest," Everett said.

But that was 30 years ago, Everett said. And he conceded that investments and work by falcon clubs helped the peregrine rebound.

"What they did was noble, but they still represent a consumptive attitude toward birds of the wild," Everett said.

Alten said falconers should be credited for making sure the species was not lost. The enthusiasts donated their birds and money to recovery projects.

"It wasn't the Sierra Club. It was private falconers who ... got these breeding programs off the ground," he said.

Today, falconers must still obtain their birds from state-approved,

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captive-raised programs at a cost of between \$250 and \$1,000, depending on the size and sex of the bird. There are about 600 active falconers in the state, many of whom hunt with their birds, promote the sport and work on preservation, Alten said.

Alten said he isn't trying to remove all protection from the bird but believes falconers should not have to rely on all-captive stock. "There's something mystic about being able to get a bird out of the wild," he said.

After a preliminary review of Alten's petition, state specialists determined that an in-depth study was warranted. In an early report, they found that the breeding population "has increased dramatically and may have reached historic levels."

However, there are still troubling signs, state officials warn. The apparent recovery is directly linked to captive-breeding efforts — not just reproduction among wild birds, they say.

Also, some habitats are threatened by contamination that could reverse gains, such as farm pesticides south of Santa Cruz and chemical residue found in waters off the Channel Islands. Additionally, skyscrapers and bridges are not exactly the safest places for the wild birds. A chemical in flame retardants potentially ingested after eating urban prey may weaken egg shells, raising alarms of a possible DDT repeat.

"We want to make sure this is a self-sustaining population that doesn't require any more human assistance," said Lyann Comrack, a state environmental scientist charged with responding to the delisting petition.

Steele added, "If it's taking almost heroic efforts to maintain and monitor populations ... the long-term fate of the species is questionable."

A staff recommendation to the state Fish and Game Commission will be delivered this year.

But even if the commission removes the bird from the endangered list, little is expected to change immediately. The peregrine enjoys a second layer of protection under the more stringent Fully Protected Species Act. That listing safeguards the peregrine falcon from being even incidentally killed by development, much less allowing falconers to capture the raptor or harvest eggs.

"It will be equally protected" even if delisted," Comrack said.

Alten said he recognizes the Fully Protected Species Act as a future hurdle — even if he succeeds in having the bird removed from the Endangered Species list.

"That will be the next step," he said.

Still, some of those involved agree that if the peregrine is no longer in danger of disappearing, it should at least be removed from the Endangered Species list. Delisting, they say, would demonstrate the success of recovery efforts and free up scarce funds to save species close to extinction.

Audubon California called the falcon recovery "promising," but it stopped short of endorsing Alten's petition.

"We want to make sure that the latest science is used to project the number of breeding pairs needed to ensure a lasting recovery," said Gary Langham, director of bird conservation for Audubon California.

"Victories are important in showing the public that we can curb and reverse threats to birds and other wildlife," Langham said. "The question is whether we can declare victory for the American peregrine falcon yet."

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