

Piping Plover Statewide HCP Stakeholder Comment Summary for Chapters 1 and 2 (1/21/15)

Stakeholder Comments Chapter 1, Introduction

- **Section 1.1.2 Background:** Concern about the language “large, robust population” and “increased regulations and continued community support.”

REMOVE “ROBUST”; INCREASING AND MAINTAINING COMMUNITY SUPPORT IS A CENTRAL GOAL AS PER EARLY STAKEHOLDER DISCUSSIONS

- **Section 1.1.1 Purpose and Goals:** Emphasis on well-developed site-specific management plans for shorebirds.

INDIVIDUAL MANAGEMENT PLANS WILL BE REQUIRED; INTENT IS TO KEEP THESE SIMPLE—HOW WILL STATE GUIDELINES BE APPLIED AT SITE?

- **Section 1.2.1 Covered Activities:** Connect impact minimization and covered activities. Provide examples.

YES. CHAPTER 3; IMPACT MINIMIZATION IS INTEGRATED WITH EACH COVERED ACTIVITY; AS OPPOSED TO DESCRIBING IN “CONSERVATION MEASURES” SECTION (CHAPTER 4).

- **Section 1.2.1 Covered Activities:** Concern about details of reduced proactive fencing.

YES, BIRDS MIGHT NEST EVEN IF SYMBOLIC FENCING IS REMOVED; THIS COVERED ACTIVITY MAY ALLOW NOISE DETERRANCE, ETC...NESTING MUST BE MONITORED; IF NESTING OCCURS, REDUCED NEST BUFFER FOR FENCING WILL BE APPLIED.

- **Section 1.2.4 Conservation Measures:** Concern about measuring “net increase in productivity”

CHAPTER 4 CONTAINS A MONITORING PLAN; WE WILL ATTEMPT TO “MEASURE” EFFECTS OF PREDATOR MANAGEMENT AND HABITAT ENHANCEMENT TRIALS; VERY DIFFICULT TO MEASURE EFFECTS OF OUTREACH AND INCREASED ENFORCEMENT; WE WILL ALSO MONITOR FLEDGING SUCCESS OF BROODS/PAIRS EXPOSED TO COVERED ACTIVITIES.

- **Section 1.2.5 Permit Duration:** Concern about using abundance as the only measure of population robustness and viability - demonstration of net effects necessary

HCP IS DESIGNED TO HAVE INSIGNIFICANT IMPACT (MESA) AND NOT IMPEDE PROGRESS TOWARD RECOVERY *INDEPENDENT* OF THE MITIGATION. MONITORING WILL BE CARRIED OUT TO ENSURE MITIGATION IS CARRIED OUT EFFECTIVELY AND IN ACCORDANCE WITH THE HCP; CHANGES ARE POSSIBLE THROUGH ADAPTIVE MANAGEMENT.

- **Table 1-1:** Mention that the timing of REKN does not overlap significantly with plover nesting and specify that the west coast population of least tern is federally listed.

OK

- **General:** Will the HCP mention other state listed species that occur on beaches (in addition to least tern) by name?

DFW WILL CONSIDER INCLUDING A LIST IN AN APPENDIX. REGARDLESS, DFW WILL REQUIRE THAT THE BEACH OPERATOR OBTAIN A NO TAKE DETERMINATION OR A STATE MESA PERMIT IF TAKE OF OTHER STATE-LISTED SPECIES WILL NOT BE AVOIDED.

Stakeholder Comments Chapter 2, *Environmental Setting*

- **Section 2.2.1 Plan Area:** Concern over the Plan Area, the 300-yd buffer, and whether future changes in the coast line (e.g., from climate change) would be accounted for.

INTENT IS TO MAKE ALL CURRENT AND FUTURE BREEDING HABITAT ELIGIBLE FOR PARTICIPATION; ALL AREAS OF ACCRETION ARE COVERED AS PER THE CURRENT TEXT; INLAND, THE 300 YD BUFFER IS ARBITRARY BUT VERY LIKELY TO COVER THE NEXT 25 YEARS.

- **Section 2.3.2 Life History:** Juveniles remaining together and with parents after fledging has been documented as has documentation of juveniles remaining on natal beach despite disturbance

EDITED

- **Section 2.3.2 Piping Plover:** Concern over the discussion of productivity rates, including statewide productivity rates and on select beached with high recreational use.

TEXT EDITED TO MAKE CLEARER THAT THERE COULD BE AN EMERGING DOWNWARD TREND IN PRODUCTIVITY. REGARDLESS OF CAUSAL MECHANISM, HIGH RECREATION BEACHES ARE CAPABLE OF HIGH FLEDGING RATES WITH PROPER MANAGEMENT; THIS IS AN IMPORTANT POINT TO MAKE AS IT INDICATES THAT THE THREATS ASSOCIATED WITH HUMAN ACTIVITY (DISTURBANCE) CAN BE EFFECTIVELY MANAGED.

- **Section 2.3.2 Threats:** If we are permitting OSV's we should also permit fat tire bikes as a covered activity.

PRELIMINARY DECISION WAS MADE TO LEAVE THIS OUT; COULD BE ADDED AS AN AMENDMENT; COULD FALL UNDER OSV'S AS LONG AS SAME PROCEDURES ARE FOLLOWED?

- **Section 2.3.2 Threats:** Add storm surge or overwash to this heading as it is one of the most prevalent causes of egg and chick mortality.

DONE

- **Section 2.3.2 Threats:** Qualify by presenting information presented in the PIPL Wintering Habitat Conservation Plan that suggests that renourishment may adversely affect infaunal prey populations.

DONE

- **Section 2.3.2 Other Potential Threats:** Concern that language about kiteboarding could be read to suggest that kiteboarding is not a threat.

TEXT HAS BEEN EDITED TO MAKE CLEAR THAT HCP IS NOT WEIGHING IN ON THIS; NOT RELEVANT TO HCP IMPLEMENTATION AS KITEBOARDING IS NOT A COVERED ACTIVITY.

- **Section 2.3.2 Conservation Actions:** Concern over singling out Revere Beach as an example of high recreation beach with high productivity given “extraordinary” monitoring effort there.

THIS SECTION HAS BEEN EDITED TO CONTAIN MULTIPLE EXAMPLES OF HIGH RECREATION BEACHES THAT ACHIEVE HIGH PRODUCTIVITY. THIS OBSERVATION COUPLED WITH THE OBSERVATION THAT MORE REMOTE BEACHES SOMETIMES COME UNDER SIGNIFICANT PREDATION PRESSURE IS IMPORTANT TO THE HCP IN THAT IT HELPS TO MAKE THE CASE FOR GUIDING MITIGATION TO SITES WHERE IT CAN HAVE GREATEST IMPACT, AND SUPPORTS THE CONCLUSION THAT WITH PROPER MANAGEMENT, HIGH RECREATION BEACHES CAN SUPPORT HIGH PLOVER PRODUCTIVITY.

- **Section 2.3.2 Enclosures:** Concern over citing the Hecht et al. “white paper” on enclosures as it has not been published in the peer-reviewed literature.

THIS PAPER HAS BEEN PUBLICALLY RELEASED AND IS AVAILABLE ON THE USFWS WEBSITE (<http://training.fws.gov/courses/ALC/ALC3159/reports/final-reports/2014FR/Hecht-et-al-2014-Piping-Plover-Predator-Enclosures.pdf>). IT IS IMPORTANT TO PRESENT THE BEST AVAILABLE SCIENTIFIC INFORMATION IN THE HCP EVEN THOUGH THIS SOMETIMES INCLUDES UNPUBLISHED REPORTS AND TECHNICAL DOCUMENTS. THE HCP DOES NOT RECOMMEND CHANGES IN THE USE OF ENCLOSURES AS AN ONGOING MANAGEMENT TOOL AND DOES NOT PROPOSE ENCLOSURE USE AS MITIGATION FOR COVERED ACTIVITIES. MORE RESEARCH IS NEEDED.

- **2.2.3 Climate Change:** Specific questions about climate change relative to other areas.

CITATION ADDED; SEA LEVEL MODELING NOT PARTICULARLY RELEVANT BUT NEW SITES COULD BE ADDED TO HCP OVER TIME; IF SEA LEVEL RISE DECREASES PLOVER POPULATION, AMOUNT OF AUTHORIZED TAKE WILL DECREASE.

- **Section 2.3.2 Wind Turbines:** Text should be added to acknowledge that single industrial size turbines may be erected with limited regulatory oversight.

OK

- **Section 2.4.1 Land Ownership:** Correct ownership information for South Beach.

OK

- **Table 2-2:** Number totals are not summed correctly.

OK

- **Table 2-4 and Table 2-6:** Clarify whether Number of Breeding Pairs is total count or index count; add Duxbury Beach

THESE TABLES USE UNADJUSTED TOTAL COUNTS; THE FIGURES (E.G. FIG 1) USE ADJUSTED TOTAL COUNTS BEGINNING IN 1990. (INDEX COUNT METHODS WERE FORMALIZED IN 2000?); DUXBURY WILL BE ADDED