

COASTAL AND MARINE BIRDS

Affected Environment

The marine and coastal bird population off southern Oregon is both diverse and complex, being composed of as many as 170 species (eBird 2023). Of the many different types of birds that occur in this area, three groups are generally the most sensitive to the potential impacts of the Proposed Action: marine birds (e.g., grebes, alcids, gulls, terns, loons, albatrosses, storm-petrels, shearwaters, and cormorants), waterfowl (geese and ducks), and shorebirds (e.g., plovers and sandpipers). While some of these species breed in the area, others may spend their non-breeding or “wintering” period there or may simply pass through during migration. This analysis considers the Coos Bay and Brookings regions and their shorelines, the offshore cable routes, and WEAs.

Nearshore species generally occupy relatively shallow waters inshore of the continental slope waters. These species spend almost their entire time on the water surface. In the Proposed Action Area, the most common nearshore species are Red-throated, Pacific and Common Loons (*Gavia stellata*, *G. pacifica*, and *G. immer*); Western Grebes (*Aechmophorus occidentalis*); Surf and White-winged Scoters (*Melanitta perspicillata* and *M. deglandi*); and Brandt’s, Pelagic, and Double-crested Cormorants (*Urile penicillatus*, *U. pelagicus*, and *Nannopterum auritum*). Other species associated with nearshore waters include nearshore terns, such as summering Caspian Terns (*Hydroprogne caspia*) and postbreeding Elegant Terns (*Thalasseus elegans*). Brown Pelicans (*Pelecanus occidentalis*) are another common postbreeding visitor in nearshore waters. Several species of gulls and Common Murres (*Uria aalge*) breed along the coast and are abundant seasonally in nearshore waters, and Red-necked (*Phalaropus lobatus*) and Red (*Phalaropus fulicarius*) Phalaropes occur during migration. The Marbled Murrelet (*Brachyramphus marmoratus*), listed as threatened under Federal ESA and endangered under the Oregon Endangered Species Act (OESA), breeds in coastal old growth forests near the project area and is typically found in nearshore waters where it forages (Nelson 1997). In winter, the Marbled Murrelet is joined by wintering Ancient Murrelets (*Synthliboramphus antiquus*) that breed in Canada and Alaska and winter offshore of southern Oregon. In southern Oregon, nearshore species occur in highest numbers during the winter months; relatively few remain during the summer except for those species that breed locally or disperse northward from southern breeding colonies in the summer.

Pelagic species generally occupy deeper waters over the continental shelf break (>200 m (656 ft)) and can occur in substantial densities far from shore (Ainley and Terrill 2022). These species spend much of their time on the water surface or diving for food. In the Proposed Action Area, common offshore species include Sooty, Pink-footed, and Buller’s Shearwaters (*Ardenna griseus*, *A. creatopus*, and *A. bulleri*); Northern Fulmars (*Fulmarus glacialis*); and Pomarine, Parasitic, and Long-tailed Jaegers (*Stercorarius pomarinus*, *S. parasiticus*, and *S. longicaudus*). Shearwaters are found primarily in spring–fall, Northern Fulmars in winter, and jaegers during the spring and fall migrations. Species characteristic of the deep-water pelagic zone include several species of albatross including the Black-footed Albatross (*Phoebastria nigripes*), the rarer Laysan Albatross (*Phoebastria immutabilis*), and the rare and federally endangered Short-tailed Albatross (*Phoebastria albatrus*). Fork-tailed (*Hydrobates furcatus*) and Leach’s Storm-Petrels breed on coastal rocks and forage over deeper shelf waters. Several species of alcids breed along the southern Oregon coast and occur offshore, including the Common Murre, Pigeon Guillemot (*Cepphus columba*), Cassin’s Auklet (*Ptychoramphus aleuticus*), Rhinoceros Auklet (*Cerorhinca monocerata*), and Tufted Puffin (*Fratercula cirrhata*). Nonbreeding South Polar Skuas (*Stercorarius*

maccormicki) occur in the summer and fall. Offshore gulls and terns in this zone include Western Gulls (*Larus occidentalis*); migrating Sabine’s Gulls (*Xema sabini*), Common Terns (*Sterna hirundo*) and Arctic Terns (*Sterna paradisaea*); and wintering Short-billed Gulls (*Larus canus*), California Gulls (*Larus californicus*), Herring Gulls (*Larus argentatus*), Glaucous-winged Gulls (*Larus glaucescens*), and Black-legged Kittiwakes (*Rissa tridactyla*). Gadfly petrels (*Pterodroma spp.*) are rare over deep pelagic waters beyond the continental shelf break and include the federally listed Hawaiian Petrel (*Pterodroma sandwichensis*), Cook’s Petrel (*Pterodroma cookii*), and Murphy’s Petrel (*Pterodroma ultima*). Although these species typically occur in deep water west of the Proposed Action Area, they have all been observed over the continental shelf break on a number of occasions off southern Oregon (eBird 2023).

In addition to seabirds, there are a number of waterbirds and shorebirds that occupy coastal and estuarine habitats in the vicinity of the Proposed Action. Coos Bay is Oregon’s largest estuary and is protected from the ocean by a long sandy spit. The bay attracts thousands of waterfowl in the winter including large numbers of American Wigeon (*Mareca americana*), Northern Pintail (*Anas acuta*), Gadwall (*Mareca strepera*), scaup (*Aythya sp.*), Bufflehead (*Bucephala albeola*), and Ruddy Duck (*Oxyura jamaicensis*) (Chiple et al. 2003). Coos Bay hosts the largest concentrations of migrating and wintering shorebirds in the Pacific Northwest (Chiple et al 2003) and nearly 40 shorebird species use a variety of habitats along Oregon’s south coast. Many of the locally occurring shorebirds are migratory in this area with the majority occurring during the spring and fall migrations and during the winter; very few shorebirds breed in this area. Although most shorebirds occupy coastal wetlands, including estuaries, lagoons, and salt and freshwater marshes, they also utilize other coastal habitats, including sandy beaches, rocky shores, and open ocean. Thousands of shorebirds use Coos Bay including Black-bellied Plover (*Pluvialis squatarola*), Long-billed Dowitcher (*Limnodromus scolopaceus*), Dunlin (*Calidris alpina*), and Sanderling (*Calidris alba*). Smaller numbers of other shorebirds occur including Pacific Golden-Plover (*Pluvialis fulva*), Whimbrel (*Numenius phaeopus*), Greater Yellowlegs (*Tringa melanoleuca*), and Short-billed Dowitcher (*Limnodromus scolopaceus*). Rocky shorelines attract Black Oystercatcher (*Haematopus bachmani*), Surfbird (*Calidris virgata*), and Black Turnstone (*Arenaria melanocephala*). Other common shorebird species in southern Oregon and the Proposed Action Area include American Avocets (*Recurvirostra americana*), Semipalmated Plovers (*Charadrius semipalmatus*), Marbled Godwits (*Limosa fedoa*), Willets (*Tringa semipalmata*), Long-billed Curlews (*Numenius americanus*), Least Sandpipers (*Calidris minutilla*), and Western Sandpipers (*Calidris mauri*). The federally threatened Western Snowy Plover (*Charadrius nivosus nivosus*) nests and winters on sandy beaches along the southern Oregon coastline.

Several bird species that have the potential to occur within the Proposed Action Area have been afforded protected status by the state and/or Federal governments due to declining populations and/or habitats. In addition, all native birds within the area are protected by the Migratory Bird Treaty Act of 1918, which is enforced by the USFWS. Special-status marine and coastal bird species found within the vicinity of the proposed activities are listed in Table 3.8 below.

Table 3-8: Special-Status Marine and Coastal Birds Within or near the Proposed Action Area

Common Name	Scientific Name	Federal Status	State Status
Brant	<i>Branta bernicla</i>	-	OSS
Harlequin Duck	<i>Histrionicus histrionicus</i>	-	OSS
Black Oystercatcher	<i>Haematopus bachmani</i>	BCC	OSS

Common Name	Scientific Name	Federal Status	State Status
Western Snowy Plover	<i>Charadrius nivosus nivosus</i>	T, BCC	T
Marbled Godwit	<i>Limosa fedoa</i>	BCC	-
Red Knot	<i>Calidris canutus</i>	BCC	-
Rock Sandpiper	<i>Calidris ptilocnemis</i>	-	OSS
Lesser Yellowlegs	<i>Tringa flavipes</i>	BCC	-
Willet	<i>Tringa semipalmata</i>	BCC	-
Marbled Murrelet	<i>Brachyramphus marmoratus</i>	T	E
Scripps's Murrelet	<i>Synthliboramphus scrippsi</i>	BCC	-
Ancient Murrelet	<i>Synthliboramphus antiquus</i>	BCC	-
Cassin's Auklet	<i>Ptychoramphus aleuticus</i>	BCC	-
Tufted Puffin	<i>Fratercula cirrhata</i>	BCC	OSS-C
Western Gull	<i>Larus occidentalis</i>	BCC	-
California Least Tern	<i>Sternula antillarum browni</i>	E	E
Caspian Tern	<i>Hydroprogne caspia</i>	-	OSS
Laysan Albatross	<i>Phoebastria immutabilis</i>	BCC	-
Black-footed Albatross	<i>Phoebastria nigripes</i>	BCC	-
Short-tailed Albatross	<i>Phoebastria albatrus</i>	E	E
Fork-tailed Storm-Petrel	<i>Hydrobates furcatus</i>	-	OSS
Leach's Storm-Petrel	<i>Hydrobates leucorhous</i>	-	OSS
Murphy's Petrel	<i>Pterodroma ultima</i>	BCC	-
Hawaiian Petrel	<i>Pterodroma sandwichensis</i>	E	-
Cook's Petrel	<i>Pterodroma cookii</i>	BCC	-
Buller's Shearwater	<i>Ardenna bulleri</i>	BCC	-
Pink-footed Shearwater	<i>Ardenna creatopus</i>	BCC	-
Brandt's Cormorant	<i>Urile penicillatus</i>	BCC	-
Brown Pelican	<i>Pelecanus occidentalis</i>	DE	E

Status: E = Endangered T = Threatened DE = Delisted (formerly Endangered) C = Candidate
 BCC = Bird of Conservation Concern OSS = Oregon Sensitive Species
 OSS-C = Oregon Sensitive Species - Critical

Threatened and Endangered Birds That Could Occur in the Vicinity of the Proposed Action Area

Short-tailed Albatross. The Short-tailed Albatross (*Phoebastria albatrus*) was federally listed as endangered on June 2, 1970 (35 FR 8491). It is also listed as endangered by the State of Oregon. This species is a large pelagic bird with long narrow wings adapted for soaring just above the water surface. As of 2020, 84 percent of the known breeding population uses a single colony, Tsubamezaki, on Torishima Island off Japan. The remaining population nests on other islands surrounding Japan, primarily the Senkaku Islands, and a single pair nested on Midway Atoll from 2008 to 2015. During the non-breeding season, the Short-tailed Albatross regularly ranges along the Pacific Rim from southern Japan to the Gulf of Alaska, primarily along continental shelf margins. It is rare to casual but increasing offshore from British Columbia to southern California (Howell 2012). All recent records along the West Coast have been Stage 1 immatures (Howell 2012), which travel more broadly throughout the north Pacific than adults (USFWS 2014). Most individuals found off California in recent years have been during the fall and early winter with a few records in late winter and early spring (Hamilton et al. 2007). The diet of this species is not well studied; however, research suggests that—at sea during the nonbreeding season—squid, crustaceans, and fish are important prey (USFWS 2008).

The global population is currently estimated to be 7,365 birds (USFWS 2020). There have been 20 records of the species off Oregon since 1961 with 16 records since 2000; eight of these are off the Douglas, Coos, and Curry Counties coast (Oregon Bird Records Committee 2023). Based on satellite tracking of 99 individuals between 2002 and 2012, juveniles generally range in shallower, nearer-to-shore waters than adults (e.g., less than 200 m (656 ft) depth) and are more likely than adults to occur off the West Coast of the U.S. and Canada (Deguchi et al. 2012; Suryan et al. 2008; Suryan et al. 2007; Suryan and Fischer 2010; Suryan et al. 2006; USFWS 2014). The rarity of this species off the Oregon coast indicates that the Short-tailed Albatross is highly unlikely to be in the offshore portions of the Proposed Action Area; its presence is anticipated to be limited to occasional occurrences even as the population continues to grow.

Hawaiian Petrel. The Hawaiian Petrel (*Pterodroma sandwichensis*) was federally listed as endangered on March 11, 1967 (32 FR 4001). The species breeds on larger islands in the Hawaiian chain where they nest in burrows on vegetated cliffs, volcanic slopes, and lava flows. The global population is comprised of approximately 52,186 individuals (95 percent Confidence Interval 39,823–67,379), including juveniles and subadults (Joyce 2013; USFWS 2017). The species is absent from Hawaiian waters from November to April when it disperses to the eastern tropical Pacific. Individuals have been recorded off Oregon from April to August with most records occurring during July (Oregon Bird Records Committee 2023). The first of Oregon's 14 accepted records occurred in July 2013. Records of Hawaiian Petrels have increased such that they are no longer a review species for the Oregon Bird Records Committee. Records were reviewed through April 1, 2017; nine accepted records were off the Coos and Curry Counties coast (Oregon Bird Records Committee 2023). These records were 60-167 km off the coast. A review of eBird shows sixteen additional records along the shelf edge off Lane, Coos, and Curry Counties between 2017–2023 (eBird 2023). This species is typically encountered offshore in deep water, but occasionally individuals are observed over the continental shelf break. In addition to the rarity of the Hawaiian petrel off the Oregon coast, the presence of this species in the offshore portions of the Proposed Action Area would likely be limited to rare occurrences.

Western Snowy Plover. The Pacific Coast population of the Western Snowy Plover (*Charadrius nivosus nivosus*) was listed as threatened on March 5, 1993 (58 FR 12864). The primary reasons for listing this population were loss and degradation of habitat, and human disturbance. A final recovery plan was signed August 13, 2007. Critical habitat for the species was originally designated in 1999 (64 FR 68507), revised in 2005 (70 FR 56970), and revised again in 2012 (77 FR 36728). The Snowy Plover is also listed as threatened by the State of Oregon.

The Pacific Coast population of the Western Snowy Plover breeds on the Pacific Coast from southern Washington to southern Baja California, Mexico. The bird is found on beaches, open mudflats, salt pans and alkaline flats, and sandy margins of rivers, lakes, and ponds. It nests in depressions in the sand above the drift zone on coastal beaches, sand spits, dune-backed beaches, sparsely vegetated dunes, beaches at creeks and river mouths, and salt pans at lagoons and estuaries. The breeding season extends from early March to late September, with birds at more southerly locations beginning to nest earlier in the season than birds at more northerly locations (64 FR 68507). In most years, the earliest nests on the Oregon coast generally occur during mid-March (Wilson-Jacobs and Meslow 1984). Peak nesting in Oregon occurs from mid-May to early July (Stern et al. 1990). There are nine designated critical habitat units for the Western Snowy Plover in Oregon; four of which occur in Coos and Curry Counties (77 FR 36728). Lauten et al. 2006 estimated approximately 162 resident adult Western Snowy

Plovers in Oregon at eight breeding sites along the coast from Florence south. Breeding sites in 2006 included included Sutton Beach, the Siltcoos River estuary, beachgrass removal sites at Dunes Overlook, the Tahkenitch Creek estuary, the Tenmile Creek estuary, Coos Bay North Spit, Bandon State Nature Area (SNA), and the New River spit area.

In winter, the taxon is found on many of the beaches used for nesting as well as on beaches where they do not nest, in man-made salt ponds, and on estuarine sand and mud flats. The winter range is somewhat broader and may extend to Central America (Page et al. 1995). The majority of birds along the Pacific coast winter south of Bodega Bay, California (Page et al. 1986); however, 2-3 percent of the population winters in Oregon (USFWS unpublished data). This taxon may be found wintering at any beach with suitable habitat along the Oregon coast, including several locations in the Proposed Action Area. Western Snowy Plovers were reported during winter surveys of beaches in Coos and Curry Counties between 1991-2009, including the Coos Bay North Spit, Bandon State Park, and the New River (USFWS 2009).

Marbled Murrelet. The Marbled Murrelet (*Brachyramphus marmoratus*) was federally listed as threatened on October 1, 1992, within the states of Washington, Oregon, and California (57 FR 45328). Populations of the species in Alaska and British Columbia were not listed under the ESA. It is also listed as endangered by the State of Oregon. The Marbled Murrelet is a small seabird that spends most of its life in the nearshore marine environment, but nests and roosts inland in low-elevation old growth forests, or other forests with remnant large trees. Critical habitat for the species was designated on May 24, 1996 (61 FR 26256) and was later revised in a final rule published on October 5, 2011 (76 FR 61599). A final determination published on August 4, 2016 (81 FR 51348) determined that the critical habitat for the Marbled Murrelet, as designated in 1996 and revised in 2011, meets the statutory definition of critical habitat under the ESA. No marine areas were designated as critical habitat. The Proposed Project Area is in Recovery Conservation Zone 4 (from Shelter Cove, California, north to Coos Bay, Oregon) for Marbled Murrelets (Falxa et al. 2016), and 2017 population estimates for this zone were approximately 8,574 Marbled Murrelets (CI=6,358–11,155) (McIver et al. 2019).

At-sea abundance of Marbled Murrelets has been strongly correlated with proximity to inland areas containing contiguous old-growth forest with suitable nesting habitat (Raphael et al. 2016). In northern California and southern Oregon, the at-sea density of Marbled Murrelets during the breeding season is highest (five to more than 10 murrelets per 0.39 mi² [1 km²]) in the nearshore waters between Trinidad, California, and Brookings, Oregon (Falxa et al. 2016), which is directly offshore from large tracts of inland nesting habitat. Marbled Murrelets forage at sea by pursuit diving in relatively shallow waters, usually between 20 and 80 m (66 to 262 ft) in depth with the majority of birds found as singles or pairs in a band 300–2,000 m (984–6562 ft) from shore (Strachan et al. 1995). Peak densities of Marbled Murrelets in northern California and southern Oregon occur within 1 mi (1.6 km) of shore, and they are rare but consistently present beyond 2.5 mi (4 km) from shore (Hébert and Golightly 2008, Falxa et al. 2016). After the breeding season, some birds disperse and are less concentrated in nearshore coastal waters, as is the case with some other alcids. There is some evidence that they occur farther offshore over the continental shelf during the non-breeding season (Hébert and Golightly 2008), thus it is possible that they are more likely to occur in the Proposed Action Area from fall through spring.

Brown Pelican. The Brown Pelican (*Pelecanus occidentalis*) was listed as endangered on October 13, 1970 (35 FR 16047). The recovery plan for the California Brown Pelican subspecies was published in

1983 (USFWS 1983). Critical habitat has not been designated. The primary reasons for listing this species included widespread reproductive failures caused by eggshell thinning from DDT and other pollutants. On November 17, 2009, the USFWS determined that the species was no longer in danger of extinction and removed it from the Federal List of Endangered and Threatened Wildlife due to recovery (74 FR 59444). However, the Brown Pelican remains listed as endangered by the State of Oregon under State law.

The Brown Pelican is a coastal marine species that rarely occurs inland or far offshore. The breeding distribution of the California Brown Pelican ranges from the Channel Islands of southern California southward to Isla Isabela, Islas Tres Marias, and Isla Ixtapa off the coast of Mexico (USFWS 1983). Intermittent breeding in the past extended north to Point Lobos near Monterey, but successful nesting has not occurred there since 1959. Between breeding seasons, California Brown Pelicans range north as far as Vancouver Island, British Columbia, Canada and south to Colima, Mexico. Approximately 90 to 95 percent of the California Brown Pelican population breeds on islands off the coast of mainland Mexico, Baja California, and in the Gulf of California (Anderson 1983, Service 1983). Post breeding dispersal patterns depend largely on oceanographic conditions, which in turn influence food availability (Anderson and Anderson 1976). California Brown Pelicans are common spring, summer, and fall visitors along the Oregon coast and are occasional in winter (Marshall et al. 2003, 2006). They are found in nearshore waters, large bays, and river mouths.

California Least Tern. The California Least Tern (*Sterna antillarum browni*) was listed as endangered on October 13, 1970 (35 FR 16047). The recovery plan for the species was published in 1980 (USFWS 1980) and a revised recovery plan was later published in 1985 (USFWS 1985). Critical habitat has not been designated. The primary reasons for listing this species were loss of habitat, human disturbance, and predation. On October 2, 2006, the USFWS announced the completion of a 5-year review of the status of the California Least Tern, wherein they recommended it for downlisting from endangered to threatened (USFWS 2006). However, a proposed rule to downlist the species has not been published to date so the status of the taxa remains endangered throughout its range. The Least Tern is also listed as endangered by the State of Oregon.

The Least Tern is a summer visitor to California that breeds on sandy beaches close to estuaries and embayments discontinuously along the California coast from San Francisco Bay south to San Diego County and south into Baja California. The earliest spring migrants arrive in the San Diego area after the first week in April and reach the greater San Francisco Bay area by late April (Small 1994). Nesting colonies are usually located on open expanses of sand, dirt, or dried mud, typically in areas with sparse or no vegetation. Colonies are also usually in close proximity to a lagoon or estuary where they obtain most of the small fish they consume, although they may also forage up to 3–5 km (2–3 mi) offshore. The Least Tern does not regularly occur in Oregon where there are only 14 accepted records of the species; three of which were from Coos (June 2005 & May 2007) and Curry (July 1998) Counties (Oregon Bird Records Committee 2023).