

May 15, 2007

Yellow-billed Loon Questions and Answers

What do yellow-billed loons look like?

The yellow-billed loon (Order Gaviiformes, Family Gaviidae) is one of the largest of the five loon species and similar in appearance to the common loon (*Gavia immer*). Yellow-billed loons are distinguished from common loons by their larger yellow or ivory bill. Adults weigh 4,000-6,000 grams (8.8-13.2 pounds) and are 774-920 millimeters (30-37 inches) in length. Breeding (alternate) plumage of adults of both sexes is black above with white spots on the wings and underside, and white stripes on the neck. Non-breeding (basic) plumage is less distinct, gray-brown, and more pale. During non-breeding seasons yellow-billed loons have a blue-gray bill. Hatchlings are gray and brown, and juveniles are gray with a paler head. There are no recognized subspecies or geographic variations.

Where are yellow-billed loons found?

Yellow-billed loons breed patchily throughout the sub-arctic and arctic tundra of northern Alaska, Canada and Eurasia. In Alaska, the range extends from the Canning River on the arctic coastal plain westward to Point Lay, St. Lawrence Island, and the coastal areas of the Seward Peninsula. The breeding ranges in Canada and Russia have not been so well defined. In Europe, small numbers have been reported breeding in northern Finland and Norway.

The yellow-billed loon is a regular migrant along the coastlines of northern Canada and northern and northwestern Alaska, and is a rare migrant along the western Alaska coastline. Yellow-billed loons winter regularly but sparsely in nearshore marine waters from Kodiak Island through Prince William Sound, and throughout southeast Alaska and British Columbia. Irregular wintering occurs southwest of Kodiak, along the Aleutian chain and the coasts of Washington to Baja California. In Eurasia, yellow-billed loons winter off the coast of Norway, the Kamchatka Peninsula of Russia, northern Japan, North Korea, and China.

How many yellow-billed loons are there?

There is little comprehensive scientific data on worldwide populations of yellow-billed loons. In Alaska, where studies have been conducted, population estimates range from 3,700 to 4,900. A rough estimate puts the world yellow-billed loon population at 16,500.

The yellow-billed loon ranks as one of the 10 rarest birds that breeds regularly within the mainland U.S. and one of only 20 avian species with a North American population of less than 16,000 individuals.

What is the current legal status of the yellow-billed loon?

The yellow-billed loon is currently protected under the Migratory Bird Treaty Act, as are all migratory birds. Other than this, the species and its habitat receive no special legal protection in America. The National Audubon Society included it in the highest category of concern in its national "Audubon Watchlist 2002." The Committee on the Status of Endangered Wildlife in Canada lists the yellow-billed loon as a species "Not at Risk," although the status report submitted to the Committee recommended that it be listed as "Vulnerable." In Russia, the yellow-billed loon is listed in the Red Book, the official government list of rare and endangered species.

What is the primary limiting factor on yellow-billed loon population growth?

Yellow-billed loon populations are believed to be limited primarily by availability of breeding habitat, specifically nesting and brood-rearing lakes that meet their rather strict requirements. Lakes able to support breeding loons must be large (at least 13.4 hectares or about 33 acres), have abundant fish, depths of more than two meters, always maintain water beneath winter ice, be surrounded by low-lying, convoluted and vegetated shorelines, and have clear water that remains at stable levels. It is thought that individual yellow-billed loons occupy the same breeding territory throughout their reproductive lives.

These large-bodied birds with small clutches and low reproductive success depend upon high annual adult survival to maintain population levels. Simply put, individual birds must live many years before they can reliably replace themselves with offspring that survive long enough to breed. Combined with limited breeding habitats, any factors that result in significant increases in adult mortality, decreased reproduction, or habitat degradation, could have serious implications for this already rare species.

What action is the Service taking today?

The U.S. Fish and Wildlife Service published today in the Federal Register a notice stating that it has determined that possible threats to yellow-billed loons (*Gavia adamsii*) warrant a status review to determine if listing the bird as threatened or endangered under the Endangered Species Act is warranted. Today's action came in response to a petition to list the species submitted by an international group of conservation organizations. The standard for responding to such a petition is to determine if "substantial scientific or commercial information" indicates that a listing would be warranted. For this purpose, "substantial" is defined as "that amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted."

What is the history preceding today's action?

The Secretary of the Interior received a petition to list the yellow-billed loon as threatened or endangered, and designate critical habitat, on April 5, 2004. The petition was submitted by the Center for Biological Diversity and ten other organizations.

What threats to the yellow-billed loon were identified in the petition to list?

The petition asserted that a variety of factors threaten the yellow-billed loon population. These factors were said to include destruction or modification of habitat due to oil, gas, and mineral development and pollution, lack of regulatory protection, and other factors such as mortality from drowning in fishing nets and from hunting. The petition argued that these threats, combined with other factors such as limited and specific breeding habitats, a small global population, and a low reproductive rate, make the yellow-billed loon vulnerable to extinction and less likely to recover after declines.

The notice published today was termed a “90-day finding.” Why has it taken so long?

The initial draft finding was submitted to the Service’s Washington Office in July 2004. The Washington Office reviewed the document and provided comments in September, 2004. Since then, higher priority endangered species work, including the Yellow-billed Loon Conservation Agreement (see, “What is currently being done to protect yellow billed loon in Alaska?” below) took precedence over the processing of the yellow-billed loon finding for Fish and Wildlife Service staff at the field, regional, and Washington offices.

What is the process for adding a species to the list of threatened and endangered species under the Endangered Species Act?

The Endangered Species Act (ESA) requires that the U.S. Fish and Wildlife Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial information indicating that the petitioned action may be warranted. This finding is based on information contained in the petition, supporting information submitted with the petition, and information otherwise available to the FWS at the time of the finding. To the maximum extent practicable, the Service makes this finding within 90-days of the receipt of the petition and publishes this 90-day finding promptly in the *Federal Register*. If the Service finds that substantial information is presented, it commences a review of the status of the species which is to be completed, if feasible, within 12 months of receipt of the petition. In the 12-month finding, one of three determinations is made; (1) the petitioned action is warranted, therefore the species is proposed for listing; (2) the petitioned action is not warranted; or (3) the petitioned action is warranted, but precluded by other pending listing actions.

A species is eligible for ESA listing if it is imperiled by any of the following 5 criteria:

- Present or threatened destruction, modification or curtailment of its habitat or range;
- Overutilization for commercial, recreational, scientific or educational purposes;
- Disease or predation;
- Inadequacy of existing regulatory mechanisms; or
- Other natural or manmade factors affecting its continued existence.

If yellow-billed loons are eventually added to the list of threatened and endangered species, will they be listed as “threatened” or “endangered,” and why?

As we evaluate public comments and any new information, we will consider all possible actions. An “endangered” species is likely to go extinct within all or a significant portion of its range in the foreseeable future. “Threatened” applies to species that are considered likely to become endangered in the foreseeable future.

How would listing benefit the yellow-billed loon?

Listing a species initiates a recovery planning process, which brings experts together to identify specific actions and information needed for improving yellow-billed loon population status and minimizing future threats. This planning process may involve Arctic residents who directly interact with yellow-billed loons as well as species specialists, and their input will greatly assist the Service and other federal agencies in developing and implementing future management strategies. The process would also increase public awareness of the threats facing yellow-billed loons and increase support for efforts to mitigate those threats. Listing would require consultation (under Section 7 of the ESA) for any federally-permitted actions that might impact yellow-billed loons.

Is hunting of yellow-billed loons legal today?

There is no legal harvest of yellow-billed loons allowed in the United States. However, in Alaska’s North Slope Region only, a regional total of up to 20 yellow-billed loons may be kept if inadvertently caught in subsistence fishing nets and used for subsistence purposes.

Are world yellow-billed loon populations currently declining?

There is no reliable evidence of a long-term trend in yellow-billed loon populations since 1986, but this evidence is difficult to collect given low numbers of, and high annual variation in, yellow-billed loon numbers. The low reproductive potential of the species suggests that recovery from a substantial decline would not occur rapidly. There have been no systematic surveys of the Canadian or Russian breeding populations.

What is currently being done to protect yellow-billed loon in Alaska?

In 2006 the Service, working with a variety of Native, state, and federal partners, developed a conservation agreement to protect the yellow-billed loon in northern and western Alaska. The Yellow-billed Loon Conservation Agreement represents a cooperative effort among the partnering resource agencies to take measures necessary to conserve the species; however, it addresses a subset of threats to the loon in a portion of the species’ range. The goal of this agreement is to protect these birds and their breeding, brood-rearing, and migrating habitats in Alaska. In so doing, the partnering agencies hope

that current or potential threats in these areas can be avoided, eliminated or reduced to the degree that the species will not become threatened or endangered as a result of such threats within the foreseeable future. The conservation potential of this agreement will be evaluated as part of the status review.

What are the next steps in the listing process, and how long might it take?

Now that the Service has found that substantial information was presented in the petition to list the yellow-billed loon, it commences a review of the status of the species which is to be completed, if feasible, within 12 months of receipt of the petition. In the 12-month finding, one of three determinations is made; (1) the petitioned action is warranted, therefore the species is proposed for listing; (2) the petitioned action is not warranted; or (3) the petitioned action is warranted, but precluded by other pending listing actions.

How do I provide comments on the yellow-billed-loon for consideration in the 12-month finding?

To be considered in the 12-month finding for this petition, comments and information must be submitted to us within 60 days of the publication. The Federal Register notice publication is expected within the first week of June. Data, information, and comments concerning this finding may be submitted by any of the following methods:

1. You may mail or hand-deliver written comments and information to: Yellow-billed Loon Comments, Endangered Species Branch, Fairbanks Fish and Wildlife Field Office, U.S. Fish and Wildlife Service, 101-12th Ave., Room 110, Fairbanks, AK 99701.
2. You may fax your comments to (907) 456-0208. Please clearly indicate that you are submitting comments for the Yellow-billed Loon finding on the cover sheet.
3. You may send your comments by electronic mail (e-mail) to YBLoon@fws.gov. Please include "Attn: Yellow-billed Loon" in the beginning of your message and your name and return address in your e-mail message (anonymous comments will not be considered). If you do not receive a confirmation from the system that we have received your e-mail message, or in the event that our internet connection is not functional, please submit your comments in writing using one of the alternate methods described above. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.
4. You may submit comments via the internet at the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

The petition, findings, and supporting information are available for public inspection, by appointment, during normal business hours, at the address listed above or by visiting <http://alaska.fws.gov/current.htm>

For further information contact: Mr. Ted Swem at 907-456-0441 (telephone) or 907-456-0208) (facsimile).