



## Title

A nocturnal seabird, the black-capped petrel, may warrant federal protection as a threatened or endangered species.

Endangered means the species is in danger of extinction throughout all or a significant portion of its range; threatened means the species is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

The black-capped petrel is found in North America and the Caribbean, and is known by several common names: "black-capped petrel," "capped petrel," and "West Indian petrel" in North America and on English-speaking islands. In the Greater and Lesser Antilles, the bird is known as "diablotín" (little devil). In Cuba, the bird also is referred to as "bruja" (witch).

This decision, commonly known as a 90-day finding, is based on scientific information about the species presented by WildEarth Guardians in a petition to list the species and designate critical habitat, as well as information found in Service files at the time the petition was received. The Service will now conduct a thorough status review of the species to determine whether the species warrants protection under the Endangered Species Act (Act).

"This finding does not mean that the Service has decided it is appropriate to list the black-capped petrel," said Edwin Muñiz, Field Supervisor for the Caribbean Ecological Services Field Office. "The 90-day finding is the first step in a process that triggers a more thorough review of all the biological information available."

"We are encouraging the public to submit any relevant information about the black-capped petrel and its habitat to us for consideration in the comprehensive review," Muñiz said.

The black-capped petrel has a grey-brown back and wings, with a white nape and rump. The seabird's underparts are mainly white apart from a black cap and some dark underwing markings. It picks food items such as squid from the ocean surface. The seabird nests in colonies on islands and are found at sea when not breeding.

Currently, there are only 13 known breeding colonies and an estimated 600 to 2,000 breeding pairs. While historically the black-capped petrel had breeding colonies throughout the Caribbean region, current breeding populations are known only on the island of Hispaniola (Haiti and the Dominican Republic), and possibly Dominica and Martinique. The non-breeding range of the black-capped petrel is along the coast between North Carolina and Florida.

The black-capped petrel faces many potential threats to its continued existence, including human encroachment, deforestation, agricultural modification, offshore oil exploration and development, overuse from subsistence hunting, predation by introduced species, pollution, mercury bioaccumulation and inadequate regulatory mechanisms.

Predation by introduced species, such as Indian mongoose, Virginia opossum, feral cats, dogs, pigs, and rats also contributed to the decline and possible elimination of the species from multiple locations in the West Indies. Pollution, bioaccumulation of heavy metals, and oil spills potentially threaten the existence of the petrel as researchers have noted that the species has a mercury concentration seven to nine times higher than other similar seabirds.

Additionally, impacts specific to the black-capped petrels could include changes in habitat suitability, loss of nesting burrows washed out by rain or flooding, increased petrel strandings inland during storm events, and increased risk from animal-borne disease.

Because the Service finds that the petition presents substantial information indicating that listing the black-capped petrel may be warranted, the agency is initiating a status review to determine whether listing the black-

capped petrel under the Act is warranted.

To ensure this status review is comprehensive, the Service is soliciting information from state and federal natural resource agencies and all interested parties regarding the black-capped petrel and its habitat.

Based on the status review, the Service will make one of three possible determinations:

(1) Listing is not warranted, in which case no further action will be taken.

(2) Listing as threatened or endangered is warranted. In this case, the Service will publish a proposal to list, solicit independent scientific peer review of the proposal, seek input from the public, and consider the input before a final decision about listing the species is made.

(3) Listing is warranted but precluded by other, higher priority activities. This means the species is added to the federal list of candidate species, and the proposal to list is deferred while the Service works on listing proposals for other species that are at greater risk. A warranted but precluded finding requires subsequent annual reviews of the finding until such time as either a listing proposal is published, or a not warranted finding is made based on new information.

Anyone wishing to submit information regarding the black-capped petrel may do so by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. Search for Docket Number FWS?R4?ES?2012?0018.
- U.S. mail or hand-delivery: Public Comments Processing, Attn: FWS?R4?ES?2012?0018; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

Please include sufficient information with any submissions, such as scientific journal articles or other publications, to allow the Service to verify any scientific or commercial information. Submissions merely stating support for or opposition to the action under consideration without providing supporting information, although noted, will not be considered in making a determination.

The Service will post all comments on <http://www.regulations.gov>. This generally means that any personal information provided will be posted. Comments must be received by August 20, 2012.

For further information about the black-capped petrel and this finding contact the Service's Boqueron, Puerto Rico Ecological Services Office at telephone 787-851-7297, or by facsimile to 787-851-7440. Persons using a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339, or visit the Service's web site at <http://www.fws.gov/caribbean/cappedpetrel.html>

The Act provides a critical safety net for America's native fish, wildlife and plants. This landmark conservation law has prevented the extinction of hundreds of imperiled species across the nation and promoted the recovery of many others.

The Service's priority is to make implementation of the Act less complex, less contentious, and more effective. The agency seeks to accelerate recovery of threatened and endangered species across the nation while making it easier for people to co-exist with these species.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. For more information, visit [www.fws.gov](http://www.fws.gov). Connect with our Facebook page at [www.facebook.com/usfwssoutheast](http://www.facebook.com/usfwssoutheast), follow our tweets at [www.twitter.com/usfwssoutheast](http://www.twitter.com/usfwssoutheast), watch our YouTube Channel at <http://www.youtube.com/usfws> and download photos from our Flickr page at <http://www.flickr.com/photos/usfwssoutheast>.

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