



## **Consultation Document on Listing Eligibility and Conservation Actions**

### ***Falco hypoleucos* (Grey Falcon)**

You are invited to provide your views and supporting reasons related to:

- 1) the eligibility of *Falco hypoleucos* (Grey Falcon) for inclusion on the EPBC Act threatened species list in the Vulnerable category; and
- 2) the necessary conservation actions for the above species.

Evidence provided by experts, stakeholders and the general public are welcome. Responses can be provided by any interested person.

Anyone may nominate a native species, ecological community or threatening process for listing under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) or for a transfer of an item already on the list to a new listing category. The Threatened Species Scientific Committee (the Committee) undertakes the assessment of species to determine eligibility for inclusion in the list of threatened species and provides its recommendation to the Australian Government Minister for the Environment and Energy.

Responses are to be provided in writing either by email to:  
[species.consultation@environment.gov.au](mailto:species.consultation@environment.gov.au)

or by mail to:

The Director  
Migratory Species Section  
Biodiversity Conservation Division  
Department of the Environment and Energy  
PO Box 787  
Canberra ACT 2601

**Responses are required to be submitted by 16 August 2019.**

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## General background information about listing threatened species

The Australian Government helps protect species at risk of extinction by listing them as threatened under Part 13 of the EPBC Act. Once listed under the EPBC Act, the species becomes a Matter of National Environmental Significance (MNES) and must be protected from significant impacts through the assessment and approval provisions of the EPBC Act. More information about threatened species is available on the Department's website at: <http://www.environment.gov.au/biodiversity/threatened/index.html>.

Public nominations to list threatened species under the EPBC Act are received annually by the Department. In order to determine if a species is eligible for listing as threatened under the EPBC Act, the Threatened Species Scientific Committee (the Committee) undertakes a rigorous scientific assessment of its status to determine if the species is eligible for listing against a set of criteria. These criteria are available on the Department's website at: <http://www.environment.gov.au/system/files/pages/d72dfd1a-f0d8-4699-8d43-5d95bbb02428/files/tssc-guidelines-assessing-species-2018.pdf>.

As part of the assessment process, the Committee consults with the public and stakeholders to obtain specific details about the species, as well as advice on what conservation actions might be appropriate. Information provided through the consultation process is considered by the Committee in its assessment. The Committee provides its advice on the assessment (together with comments received) to the Minister regarding the eligibility of the species for listing under a particular category and what conservation actions might be appropriate. The Minister decides to add, or not to add, the species to the list of threatened species under the EPBC Act. More detailed information about the listing process is at: <http://www.environment.gov.au/biodiversity/threatened/nominations.html>.

To promote the recovery of listed threatened species and ecological communities, conservation advices and where required, recovery plans are made or adopted in accordance with Part 13 of the EPBC Act. Conservation advices provide guidance at the time of listing on known threats and priority recovery actions that can be undertaken at a local and regional level. Recovery plans describe key threats and identify specific recovery actions that can be undertaken to enable recovery activities to occur within a planned and logical national framework. Information about recovery plans is available on the department's website at: <http://www.environment.gov.au/biodiversity/threatened/recovery.html>.

## Privacy notice

The Department will collect, use, store and disclose the personal information you provide in a manner consistent with the Department's obligations under the Privacy Act 1988 (Cth) and the Department's Privacy Policy.

Any personal information that you provide within, or in addition to, your comments in the threatened species assessment process may be used by the Department for the purposes of its functions relating to threatened species assessments, including contacting you if we have any questions about your comments in the future.

Further, the Commonwealth, State and Territory governments have agreed to share threatened species assessment documentation (including comments) to ensure that all States and Territories have access to the same documentation when making a decision on the status of a potentially threatened species. This is also known as the '[common assessment method](#)'. As a result, any personal information that you have provided in connection with your comments may be shared between Commonwealth, State or Territory government entities to assist with their assessment processes.

The Department's Privacy Policy contains details about how respondents may access and make corrections to personal information that the Department holds about the respondent, how respondents may make a complaint about a breach of an Australian Privacy Principle, and how

the Department will deal with that complaint. A copy of the Department's Privacy Policy is available at: <http://environment.gov.au/privacy-policy> .

### **Information about this consultation process**

Responses to this consultation can be provided electronically or in hard copy to the contact addresses provided on Page 1. All responses received will be provided in full to the Committee and then to the Australian Government Minister for the Environment.

In providing comments, please provide references to published data where possible. Should the Committee use the information you provide in formulating its advice, the information will be attributed to you and referenced as a 'personal communication' unless you provide references or otherwise attribute this information (please specify if your organisation requires that this information is attributed to your organisation instead of yourself). The final advice by the Committee will be published on the department's website following the listing decision by the Minister.

Information provided through consultation may be subject to freedom of information legislation and court processes. It is also important to note that under the EPBC Act, the deliberations and recommendations of the Committee are confidential until the Minister has made a final decision on the nomination, unless otherwise determined by the Minister.

# *Falco hypoleucos*

## Grey Falcon

### **Taxonomy**

Conventionally accepted as *Falco hypoleucos* Gould, 1841. No infraspecific taxa described. The species consists of a single population and is considered monotypic (Marchant and Higgins 1993).

### **Species Information**

#### **Description**

The Grey Falcon is an elusive species endemic to mainland Australia. It is the rarest of six Australian members of the genus *Falco* (Olsen and Olsen 1986; Marchant and Higgins 1993). The Grey Falcon is a medium-sized raptor (400 – 500g) that exhibits reversed sexual dimorphism in body mass, with females weighing on average about 30 per cent more than males (Schoenjahn 2011). The Grey Falcon is a compact, pale grey falcon with a heavy thick chest, long wings and dark wing tips (Debus 1998; Schoenjahn 2010). The under-body is pale grey and the tail has narrow blackish bars. The chin, throat and cheeks are white in colour; adults are pale grey with fine blackish streaks, and juveniles are white with heavy dark streaks. The legs and toes, eye-ring, cere and base of the bill are bright orange-yellow and the tip of the bill is black (Marchant and Higgins 1993).

#### **Distribution**

The species occurs in arid and semi-arid Australia, including the Murray-Darling Basin, Eyre Basin, central Australia and Western Australia (Marchant and Higgins 1993). The species is mainly found where annual rainfall is less than 500 mm, except when wet years are followed by drought, when the species becomes more widespread. There is some evidence of regular movements, probably mostly of immatures, during the non-breeding season toward northern and coastal areas (Olsen and Olsen 1986; Martin and Royal 2000; Garnett et al 2011).

The species appears to be absent from Cape York Peninsula, areas east of the Great Dividing Range in Queensland and New South Wales, south of the Great Dividing Range in Victoria, and south of latitude 26°S in Western Australia (Barrett et al. 2003; Schoenjahn 2018).

#### **Relevant Biology/Ecology**

The Grey Falcon occurs at low densities across inland Australia (BirdLife International 2019). The ecology of the Grey Falcon is known almost entirely from anecdotal and opportunistic observations (Schoenjahn 2018).

The species frequents timbered lowland plains, particularly acacia shrublands that are crossed by tree-lined water courses (Garnett et al. 2011). The species has been observed hunting in treeless areas and frequents tussock grassland and open woodland, especially in winter (Olsen and Olsen 1986).

Grey Falcons feed almost exclusively on birds while breeding (Cupper and Cupper 1980, 1981; Harrison 2000; Schoenjahn 2013). Prey species include doves, pigeons, small parrots and cockatoos, and finches, but a variety of other bird prey species has been recorded (Marchant and Higgins 1993, Schoenjahn 2013, Cook 2014, Fisher 2015). Non-avian prey recorded by direct observation include small mammals on three occasions (Schoenjahn 2013, Moore 2016) and a lizard (Czechura 1981).

Breeding occurs from June to November. Clutch size can vary from 1 – 4 eggs (Olsen and Olsen 1986; Garnett et al. 2011; Schoenjahn 2013). Eggs are laid in the old nests of other birds, particularly those of other raptors or corvids. The nests chosen are usually in the tallest trees

along watercourses, particularly River Red Gum (*Eucalyptus camaldulensis*) and Coolibah (*E. coolabah*), but falcons also nest in telecommunication towers (Marchant and Higgins 1993; Schoenjahn 2013, 2018; Falkenburg 2010). The incubation period is 35 days (Cupper and Cupper 1980; Hollands 1984) and the nestling period 49–52 days (Cupper and Cupper 1980). Typically, young Grey Falcons and their parents will stay together for up to 12 months after fledging (Schoenjahn 2018).

## Threats

In the absence of focused studies on Grey Falcons, all potential threats to the species that have been published are based on general considerations and extrapolations from better studied species and are, therefore, speculative (Garnett and Crowley 2000, Garnett et al. 2011). Schoenjahn (2018) identified ten plausible threats to the Grey Falcon and ranked them according to severity (Table 1).

**Table 1:** Threats impacting the Grey Falcon in approximate order of severity of risk (see Schoenjahn 2018).

Number	Threat factor	Threat type and status	Evidence base
1.0	Invasive species		
1.1	Predation by cats	known current	Schoenjahn (2018) documented that Grey Falcons will roost on the bare open ground and documented Grey Falcon in the gut contents of cats. Chicks may be vulnerable to cat predation at accessible nests.
2.0	Climate change		
2.1	Increased temperatures in arid and semi-arid Australia	suspected current/future	The breeding distribution now covers areas of the highest annual average temperatures in Australia (Schoenjahn 2013). The predicted increases in severity and frequency of days with very high temperatures, heat waves and droughts may exceed the physiological and behavioural capacities of these birds to thermoregulate adequately (Schoenjahn 2018). Changes in rainfall patterns may affect prey availability.
3.0	Demographic and genetic stochastic events		
3.1	Small population size	suspected current	The estimated number of mature individuals is <1,000 (Schoenjahn 2013, 2018; Garnett et al. 2011; BirdLife International 2019). A small population is more susceptible to demographic and genetic stochastic events, which can impact the long term survival of the population.
4.0	Habitat loss and fragmentation		
4.1	Grazing by exotic herbivores	Known current	Herbivores in arid and semi-arid areas are preventing the regeneration of suitable nesting trees (Garnett et al. 2011). Habitat degradation may also reduce prey abundance.
4.2	Nest shortage	Suspected current	Land clearing of the semi-arid zone and overgrazing of arid zone rangelands have been identified as possible threats to the

			availability of nesting trees (Garnett and Crowley 2000; Garnett et al. 2011; Schoenjahn 2013, 2018). The loss of artificial structures (telecommunication towers and repeaters) may also contribute to the reduction of suitable nesting habitat (Schoenjahn 2018).
5.0	Disturbance		
5.1	Birdwatchers and photographers	Suspected current	The Grey Falcon is a highly sought after species by birdwatchers and bird photographers. As a consequence, nest sites may be visited by individuals and commercial birding tour groups during the breeding season hoping to see the species. This may cause disturbance and affect breeding success.
6.0	Direct mortality		
6.1	Collision with traffic	Known current	Schoenjahn (2018) documented six cases of Grey Falcons being found injured or dead along roads between 2007 – 2017.
6.2	Collision with fences and powerlines	Known current	Grey Falcons have been reported receiving life-threatening injuries from colliding with fences, and presumably power-lines (Schoenjahn 2011).
7.0	Harvesting		
7.1	Egg collecting	Known past	Egg-collecting was considered a threat until the late 1980s (Cupper and Cupper 1981, Dennis 1986, Hollands 1984, SAOA 1992), but may not be of such importance any longer because collecting and possessing eggs without a permit is now illegal in all Australian states and territories.
7.2	Falconry	Potential past	Falconry is illegal in Australia, however, the international demand from falconry for rare falcon species and colour morphs appears to be strong. Schoenjahn (2018) noted that the threat to the Grey Falcon species as a whole from illegal activities in Australia is, at present, minimal.

## Assessment of available information in relation to the EPBC Act Criteria and Regulations

<b>Criterion 1. Population size reduction (reduction in total numbers)</b>			
Population reduction (measured over the longer of 10 years or 3 generations) based on any of A1 to A4			
	<b>Critically Endangered Very severe reduction</b>	<b>Endangered Severe reduction</b>	<b>Vulnerable Substantial reduction</b>
<b>A1</b>	≥ 90%	≥ 70%	≥ 50%
<b>A2, A3, A4</b>	≥ 80%	≥ 50%	≥ 30%
A1 Population reduction observed, estimated, inferred or suspected in the past and the causes of the reduction are clearly reversible AND understood AND ceased.	<i>based on any of the following</i>	(a) direct observation [ <i>except A3</i> ]	
A2 Population reduction observed, estimated, inferred or suspected in the past where the causes of the reduction may not have ceased OR may not be understood OR may not be reversible.		(b) an index of abundance appropriate to the taxon	
A3 Population reduction, projected or suspected to be met in the future (up to a maximum of 100 years) [(a) cannot be used for A3]		(c) a decline in area of occupancy, extent of occurrence and/or quality of habitat	
A4 An observed, estimated, inferred, projected or suspected population reduction where the time period must include both the past and the future (up to a max. of 100 years in future), and where the causes of reduction may not have ceased OR may not be understood OR may not be reversible.		(d) actual or potential levels of exploitation	
		(e) the effects of introduced taxa, hybridization, pathogens, pollutants, competitors or parasites	

### Evidence:

No population trend data are currently available. The species occurs at low densities across arid and semi-arid Australia. There is uncertainty about historical declines and recent evidence of declines is lacking (Reid and Fleming 1992; Garnett et al 2011). Garnett et al. (2011) considered that past, present or future population declines are unlikely to exceed 20 per cent in any 3 generation period.

The data presented above appear to demonstrate the species is not eligible for listing under this criterion. However, the purpose of this consultation document is to elicit additional information to better understand the species' status. This conclusion should therefore be considered to be tentative at this stage, as it may be changed as a result of responses to this consultation process.

<b>Criterion 2. Geographic distribution as indicators for either extent of occurrence AND/OR area of occupancy</b>			
	<b>Critically Endangered Very restricted</b>	<b>Endangered Restricted</b>	<b>Vulnerable Limited</b>
B1. Extent of occurrence (EOO)	< 100 km <sup>2</sup>	< 5,000 km <sup>2</sup>	< 20,000 km <sup>2</sup>
B2. Area of occupancy (AOO)	< 10 km <sup>2</sup>	< 500 km <sup>2</sup>	< 2,000 km <sup>2</sup>
AND at least 2 of the following 3 conditions indicating distribution is precarious for survival:			
(a) Severely fragmented OR Number of locations	= 1	≤ 5	≤ 10
(b) Continuing decline observed, estimated, inferred or projected in any of: (i) extent of occurrence; (ii) area of occupancy; (iii) area, extent and/or quality of habitat; (iv) number of locations or subpopulations; (v) number of mature individuals			
(c) Extreme fluctuations in any of: (i) extent of occurrence; (ii) area of occupancy; (iii) number of locations or subpopulations; (iv) number of mature individuals			

**Evidence:**

The extent of occurrence (EOO) is estimated at 6.1 million km<sup>2</sup>, and the area of occupancy (AOO) estimated at 6,000 km<sup>2</sup> (Garnett et al. 2011). These figures are based on the mapping of point records obtained from state governments, museums, BirdLife Australia and CSIRO.

The data presented above appear to demonstrate the species is not eligible for listing under this criterion. However, the purpose of this consultation document is to elicit additional information to better understand the species' status. This conclusion should therefore be considered to be tentative at this stage, as it may be changed as a result of responses to this consultation process.

<b>Criterion 3. Population size and decline</b>			
	<b>Critically Endangered Very low</b>	<b>Endangered Low</b>	<b>Vulnerable Limited</b>
Estimated number of mature individuals	<b>&lt; 250</b>	<b>&lt; 2,500</b>	<b>&lt; 10,000</b>
AND either (C1) or (C2) is true			
C1 An observed, estimated or projected continuing decline of at least (up to a max. of 100 years in future)	<b>Very high rate 25% in 3 years or 1 generation (whichever is longer)</b>	<b>High rate 20% in 5 years or 2 generation (whichever is longer)</b>	<b>Substantial rate 10% in 10 years or 3 generations (whichever is longer)</b>
C2 An observed, estimated, projected or inferred continuing decline AND its geographic distribution is precarious for its survival based on at least 1 of the following 3 conditions:			
(a) (i) Number of mature individuals in each subpopulation	<b>≤ 50</b>	<b>≤ 250</b>	<b>≤ 1,000</b>
(a) (ii) % of mature individuals in one subpopulation =	<b>90 – 100%</b>	<b>95 – 100%</b>	<b>100%</b>
(b) Extreme fluctuations in the number of mature individuals			

**Evidence:**

The species consists of a single population (Marchant and Higgins 1993). The total population size is now generally accepted to be <1,000 mature individuals (Schoenjahn 2011, 2018; Garnett et al. 2011; BirdLife International 2019). No population trend data are available. There is uncertainty about historical declines and recent evidence of decline is lacking (Reid and Fleming 1992; Garnett et al 2011). Garnett et al. (2011) found no evidence to support a continuing population decline or extreme fluctuations.

The data presented above appear to demonstrate the species is not eligible for listing under this criterion. However, the purpose of this consultation document is to elicit additional information to better understand the species' status. This conclusion should therefore be considered to be tentative at this stage, as it may be changed as a result of responses to this consultation process.

<b>Criterion 4. Number of mature individuals</b>			
	<b>Critically Endangered Extremely low</b>	<b>Endangered Very Low</b>	<b>Vulnerable Low</b>

Number of mature individuals	< 50	< 250	< 1,000
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### Evidence:

The species occurs at low densities across arid and semi-arid Australia. The species has been encountered very infrequently during extensive, targeted surveys (Schoenjahn 2011, 2018). The total population size is widely accepted to be <1,000 mature individuals (Schoenjahn 2011, 2018; Garnett et al. 2011; BirdLife International 2019). This estimate is based on reported range and densities compared with the Peregrine Falcon (*Falco peregrinus*) (reported over two separate time periods 20 years apart for the Atlas of Australian Birds, Blakers *et al.* 1984; Barrett et al. 2003), and assuming 3,000 - 5,000 pairs of Peregrine Falcon in Australia (after Olsen and Olsen 1988).

The data presented above appear to demonstrate that the species is **eligible for listing as Vulnerable** under this criterion. However, the purpose of this consultation document is to elicit additional information to better understand the species' status. This conclusion should therefore be considered to be tentative at this stage, as it may be changed as a result of responses to this consultation process.

Criterion 5. Quantitative Analysis			
	Critically Endangered Immediate future	Endangered Near future	Vulnerable Medium-term future
Indicating the probability of extinction in the wild to be:	≥ 50% in 10 years or 3 generations, whichever is longer (100 years max.)	≥ 20% in 20 years or 5 generations, whichever is longer (100 years max.)	≥ 10% in 100 years

### Evidence:

Population viability analysis appears not to have been undertaken, and therefore there is insufficient data to demonstrate if the species is eligible for listing under this criterion. However, the purpose of this consultation document is to elicit additional information to better understand the species' status. This conclusion should therefore be considered to be tentative at this stage, as it may be changed as a result of responses to this consultation process.

## Conservation Actions

### Recovery Plan

A decision about whether there should be a recovery plan for this species has not yet been determined. The purpose of this consultation document is to elicit additional information to help inform this decision.

### Primary Conservation Actions

Support initiatives to improve habitat management and cat control in arid and semi-arid Australia

## Conservation Actions

### Conservation and Management priorities

- Habitat loss, disturbance and modifications
  - Support improved fire and grazing management in areas where Grey Falcons are known to occur
  - Protect known nesting trees and support the establishment and survival of replacement nest trees in suitable habitats

- Retain artificial structures with known or potential Grey Falcon nests
- Invasive species
  - Control invasive cats in areas where Grey Falcons are known to occur, especially in known roosting and nesting areas

### **Stakeholder Engagement**

- Engage Indigenous communities and land managers to support the conservation of Grey Falcons
- Discourage the disclosure of locations of active nests to the public
- Promote the conservation, and raise the profile, of Grey Falcons through strategic programs and educational products with land holders and community groups
- Promote the exchange of conservation priorities between governments, NGOs and communities through use of networks, publications and websites

### **Survey and Monitoring priorities**

- This species is rare, with a very large distribution. Monitoring population trends is particularly challenging, and will probably require collaboration between many stakeholders to implement, once a suitable approach has been designed

### **Information and Research priorities**

- Develop methods for assessing population trends in a rare, widely-distributed species. This requires consideration of logistical, sampling and analytical constraints.
- Collect ecological and demographic information
- Improve knowledge about potential threatening processes including feral cats, climate change and habitat loss

### **Collective list of questions – your views**

1. Do you agree with the current taxonomic position of the Australian Faunal Directory and Birdlife Australia for this species (as identified in the draft conservation advice)
2. Can you provide any additional references, information or estimates on longevity, age of maturity, average life span and generation length?
3. Has the survey effort for this species been adequate to determine its national distribution and adult population size?
4. Do you accept the estimate provided in the nomination for the current population size of the species?
5. For any population with which you are familiar, do you agree with the population estimate provided? If not, are you able to provide a plausible estimate based on your own knowledge? If so, please provide in the form:
  - Lower bound (estimated minimum):
  - Upper bound (estimated maximum):
  - Best Estimate:
  - Estimated level of Confidence: %
6. Can you provide any additional data, not contained in the current nomination, on declines in population numbers over the past or next 10 years or 3 generations, whichever is the longer?
7. Is the distribution as described in the nomination valid? Can you provide an estimate of the current geographic distribution (extent of occurrence or area of occupancy in km<sup>2</sup>) of this species?
8. Has this geographic distribution declined and if so by how much and over what period of time?
9. Do you agree that the species is eligible for inclusion on the threatened species list, in the category listed in the nomination?
10. Do you agree that the threats listed are correct and that their effects on the species are significant?
11. To what degree are the identified threats likely to impact on the species in the future?
12. Can you provide additional or alternative information on threats, past, current or potential that may adversely affect this species at any stage of its life cycle?
13. What are your recommendations with regard to survey techniques, priority locations and frequency to effectively monitor the species over time within Australia?
14. In seeking to facilitate the recovery of this species, can you provide management advice for the following:
  - What individuals or organisations are currently, or need to be, involved in planning to abate threats and any other relevant planning issues?
  - What threats are impacting on different populations, how variable are the threats and what is the relative importance of the different populations?
  - What recovery actions are currently in place, and can you suggest other actions that would help recover the species? Please provide evidence and background information.
15. Can you provide additional data or information relevant to this assessment?



## **References cited in the advice**

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Schoenjahn, J. (2018). Adaptations of the rare endemic Grey Falcon *Falco hypoleucos* that enable its permanent residence in the arid zone of Australia. PhD Thesis. University of Queensland