



IDAHO CHAPTER  
**THE WILDLIFE SOCIETY**

NATIONAL HEADQUARTERS  
SUITE 611  
7101 WISCONSIN AVE. N.W.  
WASHINGTON, D.C. 20014

November 30, 1989

BOI20.34

Mr. John Turner, Director  
U.S. Fish and Wildlife Service  
Washington, D.C. 20240

Dear Mr. Turner:

This is a request under the Freedom of Information Act concerning our petition to list the Rocky Mountain population of trumpeter swans as a threatened species. This petition was sent by the Idaho Chapter of the Wildlife Society to the U.S. Fish and Wildlife Service (Service) on or about May 6, 1989. We were informed in a telephone conversation with Kemper McMaster, Helena, Montana, Field Supervisor, that the 90-day review period would end on or about August 11, 1989, and that the Service would issue its 90-day finding at that time. To date, we have received no correspondence regarding this petition, contrary to Section 4 of the Endangered Species Act that requires a 90-day finding on all petitions submitted to the Service.

We are concerned about the lack of action by the Service. We have made some informal inquiries and believe that the Service may attempt to dismiss this petition as not warranted on the grounds that the Rocky Mountain population is not distinct from the Western (Alaska) population, contrary to staff recommendations from the Helena field office and Regions 1 and 6. The petition and the research documents that accompanied it will solidly refute this argument. We have also heard that your Migratory Bird Office is concerned about the impact of a listing on tundra swan hunting seasons in Montana and Utah. In either case, a decision to dismiss the petition as not warranted would be a political decision rather than one based on biology; again contrary to the Endangered

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Species Act. A decision based on politics could easily lead to an embarrassing situation for the Service, not unlike the spotted owl controversy that was debated in the press and decided in the courts.

Our specific request under the Freedom of Information Act is for copies of all documents, memorandums, correspondence, handwritten notes, meeting minutes and notes, staff comments written on or attached to all copies of our petition, telephone logs, and other items related to this petition. This includes, but is not limited to, the above documents and other items from the Helena, Montana; Boise, Idaho; and Laramie, Wyoming field offices of the Service; Regional Offices 1 and 6 of the Service; and the Washington office of the Service. As a non-profit organization we should be exempt from any copying charges associated with this request.

I would like to make one final point. As you know, the Service's Boise field office is currently involved in sensitive negotiations with the Bureau of Reclamation over winter water releases from Island Park Dam. Should the Service dismiss this petition as not warranted, we believe the Bureau may withdraw from these negotiations and trumpeter swans wintering on the Henry's Fork could again suffer significant mortality and diminished reproductive success. This is the exact situation that focused national attention on the swans last winter and prompted us to submit the petition to the Service.

Having lived in the Jackson Hole area you have undoubtedly observed trumpeter swans on numerous occasions. As a member of the Trumpeter Swan Society you have demonstrated both a personal as well as a professional interest in their well-being. I trust that this interest will promote a biologically sound decision on our petition, rather than one that is politically motivated.

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Thank you for your cooperation and assistance, and I look forward to receiving your personal correspondence on this matter of utmost importance to the Rocky Mountain population of trumpeter swans.

Sincerely yours,

J. W. Connelly, President  
Idaho Chapter, The Wildlife Society  
1035 Surrey Lane  
Blackfoot, Idaho 83221

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cc: M. R. Mickelson  
The Henry's Fork Foundation, Inc.

Gordon R. Kerr, Director  
Canadian Wildlife Service  
Western and Northern Region