

4-20-90

SUMMARY

**ACTION:** Notice of 90-day finding on a petition. This package conforms with all policy and guidance documents provided to the Region by the Director.

**DESCRIPTION:** Announcement on finding for petition to list an avian species in Regions 1 and 6. The finding was made by the Regional Director for Region 6, with the concurrence of the Regional Director for Region 1, and subject to the concurrence of the Director. The finding was that the petitioners did not present substantial information to show that the action requested may be warranted. A separate draft Federal Register notice was prepared by Region 6, and has been reviewed by Region 1.

**SPECIFICS:**

- o The finding was made on a petition received by the Service on May 12, 1989, from the Idaho Chapter of The Wildlife Society to add the Rocky Mountain population of the trumpeter swan (Cygnus buccinator) to the List of Threatened and Endangered Species.
- o Threats listed in the petition include the continued loss or curtailment of restricted winter habitat due to inadequate water flows, human activity, and loss of wetlands; inadequate regulatory mechanisms; increased potential for disease where birds are concentrated on limited wintering areas; and mortality from lead poisoning, powerline collisions, and accidental shootings.
- o The Rocky Mountain population is considered to be a distinct population, as there are no band return data or observations of collared trumpeter swans to suggest interbreeding between the Rocky Mountain and Pacific Coast populations of trumpeter swans.
- o Trumpeter swan numbers have increased since restoration efforts began. However, most of the birds in the Rocky Mountain population winter in a small tri-State area in the Greater Yellowstone Ecosystem. Winter range expansion efforts are underway and look promising, but will require several years to complete. Until that time, lack of sufficient water flows in the Henrys Fork of the Snake River in Idaho during extremely cold weather would result in river icing and unavailability of swan food supplies. At least 50 birds died in February 1989. The actual loss is estimated to be as high as 200 birds, which is about 11 percent of the total population (approximately 1,750 birds). Lack of sufficient flows in the Henrys Fork results in the curtailment of important winter habitat. This is a critical threat to the population since winter habitat is believed to be the limiting factor for the Rocky Mountain population.
- o The Grand Prairie flock (largest Canadian trumpeter swan flock) had an overwinter death rate of 48 percent in 1988-1989, compared to an average loss of 24 percent. Trumpeter production levels in Canada had been increasing in recent years, but in 1989 the number of pairs in the Grand Prairie flock was 18 percent below 1988 levels.

- o Since the petition was received, minimum flow requirements have been established for swans wintering on the Henrys Fork. Review of historic flow records for the past 16 years (1974-1989) showed that there was sufficient water to maintain the 500 cfs minimum flow during 6 of 16 years. During the other 10 years, additional water would have to have been released to maintain the 500 cfs. It is believed that sufficient water would have been available for purchase and thus release during most of those 10 years.
- o A review of the midwinter trumpeter swan survey results for the past 16 years show that the number of swans counted has increased from 709 in 1974, to a high of 1,743 in 1989. Service waterfowl biologists have indicated that even 2 or 3 low-flow years in a row on the Henrys Fork would not cause serious problems with the overall population. There would most likely be a dip in the upward trend of the population, but the population would bounce back and then continue its upward trend.
- o Now that the minimum flow level has been established, the Service is committed to make every effort to purchase the necessary water during those winters when the minimum flow below the Buffalo River drops below 500 cfs (dependent on water and funding being available). Based on past years, it appears that water would normally be available for purchase. Now that the Service is committed to try to purchase the necessary water to maintain a minimum flow of 500 cfs during the winter, the major threat to the population has been alleviated. By removing this threat, it will provide the Service with the necessary time to expand the winter range of the species to where it is sufficiently widespread that a catastrophic event in any one part of the population's range will not threaten the existence of the population.

POSSIBLE CONFLICTS:

- o There is some public support for listing the population.
- o Because of the long delay in making this finding, the Service has subjected itself to a possible lawsuit from The Wildlife Society.

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