



United States Department of the Interior
FISH AND WILDLIFE SERVICE



IN REPLY REFER TO:

FWE/SE/Trumpeter Swan -
Petition
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MAR 09 1990

Memorandum

To: Director, FWS, Washington, D.C. (EHC/BLR)
From: Regional Director, Region 6
Subject: Ninety-day Finding on Petition to List the Rocky Mountain Population of the Trumpeter Swan (Action Needed)

Section 4(b)(3) of the Endangered Species Act, as amended, requires that within 90 days of receipt of a petition to list, delist, or reclassify a species, or to revise a critical habitat designation, a finding be made on whether the petition presents substantial information indicating that the action may be warranted, and that such a finding be promptly published in the Federal Register. Our finding, which the Regional Director of Region 1 concurs with, is that the petitioners did not present substantial information to show that listing the Rocky Mountain population of the trumpeter swan (Cygnus buccinator) as a threatened species may be warranted. With your concurrence, this memorandum constitutes the finding for the administrative record for this petition.

The Fish and Wildlife Enhancement staffs in Montana, Wyoming, Oregon, and Idaho; Migratory Bird Coordinators in Regions 1 and 6; the States of Montana, Wyoming, and Idaho; the Pacific Flyway Council Rocky Mountain Population Trumpeter Swan Subcommittee; the Canadian Wildlife Service in Edmonton, Alberta; and the Central and Pacific Flyway Representatives were contacted during this review.

On May 12, 1989, the Fish and Wildlife Service (Service) received a petition from the Idaho Chapter of The Wildlife Society to list the Rocky Mountain population of the trumpeter swan as a threatened species. The Rocky Mountain population includes all known breeding flocks in the Greater Yellowstone area (the tri-State subpopulation), and in Alberta, British Columbia, Northwest Territories, southeastern Yukon, and Saskatchewan (the Interior Canada subpopulation). We have checked with the Migratory Bird Laboratory, the Central and Pacific Flyway Representatives, and biologists working with trumpeter swans in both the Rocky Mountain population and Pacific Coast population to determine if the Rocky Mountain population is a distinct

population. Banding data from the southern part of the range indicate that no intermixing occurs there between the two populations. We found no banding data, or other information, to prove that interbreeding does or does not take place between the two populations in the northern part of the range. However, there is more information to support lack of interbreeding than intermixing, thus we consider the Rocky Mountain population to be a distinct population.

Although population numbers have been increasing since restoration efforts began earlier this century, concentration of most of the wintering birds in a limited area has left the birds vulnerable to catastrophic events resulting from adverse weather, poisons, disease, etc. This past winter (February 1989), extremely cold weather and insufficient water flows on the Henrys Fork of the Snake River below Island Park Dam, Idaho (operated by the Bureau of Reclamation), resulted in a loss of at least 50 trumpeter swans (carcasses retrieved), out of a current population of approximately 1,750 birds. The estimated loss is as high as 200 birds, or 11 percent of the total population. Lack of sufficient flows in the Henrys Fork of the Snake River would continue to result 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.

To address this threat, a committee consisting of personnel from the Service, Bureau of Reclamation, Idaho Department of Fish and Game, and Idaho State University met to establish the minimum flow needed to maintain adequate winter habitat for swans on the Henrys Fork. They established a minimum flow figure of 500 cfs below the Buffalo River. Assuming an average flow of 200 cfs from the Buffalo River, 300 cfs would have to be released from Island Park Reservoir (on the Henrys Fork) to maintain the 500 cfs minimum flow. At this flow, 83 percent of the channel in key swan feeding areas is usable (1-4 feet in depth), but only 44 percent is considered in the optimal range (2-4 feet). In addition, 14 percent of the channel is either exposed or less than a foot deep. There is a steep decline in the amount of channel in the optimal range as flows are decreased below this amount.

Subsequent to the establishment of the 500 cfs minimum flow, the historic flow records for the past 16 years (1974-1989) at the Island Park gaging station were reviewed. This review showed that there was sufficient water to maintain the 500 cfs minimum flow during 6 of the 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.

A review of the midwinter trumpeter swan survey results for the past 16 years shows that the number of swans counted has increased from 709 in 1974, to a high of 1,743 in 1989. Some of this increase is probably due to an increase in survey effort; but it is believed that during this period, the Rocky Mountain population has maintained an upward trend. Service waterfowl biologists agreed at a January 4, 1990, meeting that even 2 or 3 low-flow years in a row on the

Henry's 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 (unless the habitat was already at maximum carrying capacity).

The Pacific Flyway Council has been actively pursuing trumpeter swan restoration efforts through implementation of the North American Management Plan for Trumpeter Swans; including initiation of the Rocky Mountain Trumpeter Swan Population Range Expansion Project, and the Contingency Plan for Management of Wintering Trumpeter Swans in the Vicinity of Harriman State Park, Idaho (Contingency Plan). One of the action items in the Contingency Plan is to guarantee sufficient water releases from Island Park Dam to maintain open feeding areas for swans during extremely cold weather. Another action item is to relocate swans to other wintering areas and discourage birds from congregating below Island Park Dam. Work is ongoing on all of the above mentioned items.

Regions 1 and 6 are committed to increasing efforts to expand the winter range of the Rocky Mountain population of the trumpeter swan. The Refuges and Wildlife Divisions in both Regions have increased their range expansion programs. The program is currently progressing quite well, especially in Wyoming where the State has taken a very active role.

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. This is obviously dependent on water and funding being available. Based on past years, it appears that water would normally be available for purchase. We are committing the Service to provide the necessary funds when funding is available.

We believe that 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 us 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. Based on this new information, we have found that the petitioners did not present substantial information to show that listing the Rocky Mountain population of the trumpeter swan as threatened may be warranted. A draft

notice of our finding is attached for your review and publication in the Federal Register. The petitioner will be notified of our finding upon its publication in the Federal Register.

Galen L. Buterbaugh
GALEN L. BUTERBAUGH

Approval *Richard M. Smith*

Disapproval _____

Date 3/23/90

Date _____