

FWE/SE/Trumpeter Swan--
Petition
Mail Stop 60153

MAR 9 1990

Memorandum

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

This is in reply to Deputy Director Smith's memorandum of December 4, 1989, whereby he returned our draft 90-day Petition Finding for the Rocky Mountain population of the trumpeter swan. He asked us to further consider and evaluate our recommended finding.

On January 4, 1990, Region 6 hosted a meeting in Denver, Colorado, to address the concerns raised in Mr. Smith's memorandum. The following people were in attendance: Region 1 was represented by their Migratory Bird Coordinator; Region 6 was represented by the Deputy Regional Director and personnel from Fish and Wildlife Enhancement and Refuges and Wildlife; the Central and Pacific Flyway Representatives were present; and a biologist from the Branch of Listing and Recovery in the Washington Office attended (as she had drafted the finding while in her former position).

Initially, there was some disagreement among those present as to whether the Rocky Mountain population should be considered a separate population from the Pacific population. The Central Flyway Representative thought that possibly there was a little intermixing between the two populations at the very northern end of their ranges. However, the group came to the conclusion that there was not conclusive data to show that intermixing did or did not occur. But there was more information to support lack of intermixing than intermixing, so the group agreed that with the information available, the Fish and Wildlife Service (Service) should consider the Rocky Mountain and Pacific populations to be separate populations.

The second lengthy discussion revolved around the biological information that was used to make the original recommended "may be warranted" finding that Regions 1 and 6 agreed to and submitted to the Washington Office on August 11, 1989. Those present from the Fish and Wildlife Enhancement and Refuges and

Wildlife staffs agreed that with the information available to us in July 1989, the "may be warranted" finding was correct. The Central and Pacific Flyway Representatives disagreed.

Region 1's Migratory Bird Coordinator indicated that there was now new information available regarding the minimum flow requirements for trumpeter swans using the Henrys Fork (river) during the winter. He explained that a committee consisting of personnel from the Service, Bureau of Reclamation, Idaho Department of Fish and Game, and Idaho State University had 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. At \$2.50/acre-feet, the cost would have ranged from \$694 in 1979 to \$214,699 in 1989 (average was \$43,405). However, if during the following spring the runoff was sufficient to adequately replenish the reservoir, then the Service would not have been required to pay for the water used during the previous winter. This was the case in 1989, after the extremely low flows during the winter of 1988-1989.

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. Waterfowl biologists at the January 4, 1990, meeting agreed 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 (unless the habitat was already at maximum carrying capacity).

The major reason for the original "may be warranted" recommendation was that we were concerned that in the future there would not be sufficient water available in the Henrys Fork to maintain the swans wintering there. However, now that the minimum flow level has been established, Regional Director Plenert and I have committed the Service 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.

In addition, the two Regions 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. The Fish and Wildlife Foundation has made \$20,000 available this fiscal year for identifying additional winter habitat if the Service will provide matching funds. Region 1 will provide the matching funds. We also understand that the Henrys Fork Foundation is willing to provide funds to help purchase water when it is needed.

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. Attached is our recommended 90-day Petition Finding and a draft Notice of Petition Finding.

/s/ Galen L. Buterbaugh

Attachment

cc: Regional Director
Region 1 w/attachment

bcc: ARD, RW, Regions 1 and 6 w/attachments
ARD, FWE, Region 1 w/attachments
Fld Spvsr, FWE, Helena, MT; Boise, ID w/attachments
State Spvsr, FWE, Cheyenne, WY w/attachments
OBray w/attachments
JMiller w/attachments ✓
JClark, WDC, (EHC/BLR)
Carol Taylor, WDC, (EHC/BLR)
RD rf
Circ rf (2)
FWE/SE file, circ rf, rf

SE/OBray:lmc:2/6/90
Dir:OBray:90 day trump swan