



ENDANGERED SPECIES TECHNICAL BULLETIN

Department of the Interior • U.S. Fish and Wildlife Service • Endangered Species Program, Washington, D.C. 20240



U.S. Fish and Wildlife Service Photo

Current knowledge suggests that the agent that extirpated the brown pelican from Louisiana would have been equally effective regardless of the population size.

Critical Habitat for Three Fishes Reproposed; Withdrawn

A reproposal of Critical Habitat for three fishes in Alabama and Tennessee will be withdrawn by the Service because of procedural errors in the nature of the public meeting and the inadequate availability of information concerning economic considerations. The reproposal was published in the July 27, 1979, *Federal Register*, and the subsequent meetings were held August 28-30. The proposed listing for the spring pygmy sunfish (*Elassoma* sp.) and the pygmy sculpin (*Cottus pygmaeus*) will be automatically withdrawn on November 29, 1979, two years after its initial publication. The proposed listing for the Barrens topminnow (*Fundulus* sp.) will be withdrawn on December 30, 1979, also two years after publication. A new proposal will be made only if new information becomes available.

Recovery Planned for Light-Footed Clapper Rail, Woundfin, Eastern Brown Pelican

The Service approved three recovery plans in July; one for the light-footed clapper rail (*Rallus longirostris levipes*), a California bird Endangered by habitat destruction; one for the woundfin (*Plagopterus argentissimus*), a minnow with a limited range; and one for the eastern brown pelican (*Pelecanus occidentalis carolinensis*), a coastal breeding bird which suffered a severe population decline in the 1960's.

Light-Footed Clapper Rail

The clapper rail plan calls for the protection of all existing habitat, increasing the carrying capacity and stability of existing habitat, thereby enabling the size of each population to increase, and creating and stocking

new habitat. These activities will aid in achieving the plan's objective of increasing the rail's breeding population to at least 400 pairs.

The light-footed clapper rail occurs in about 16 California marshes. The major reason for the decline in the species has been loss of habitat because of dredging and filling. As of January 1977, only about 8,500 acres of saltmarsh remained between Santa Barbara and the Mexican border, where there was formerly about 26,000 acres of saltmarsh. There are probably no more than 250 light-footed clapper rails remaining in California, with about half the population found in the Tijuana Estuary, San Diego County.

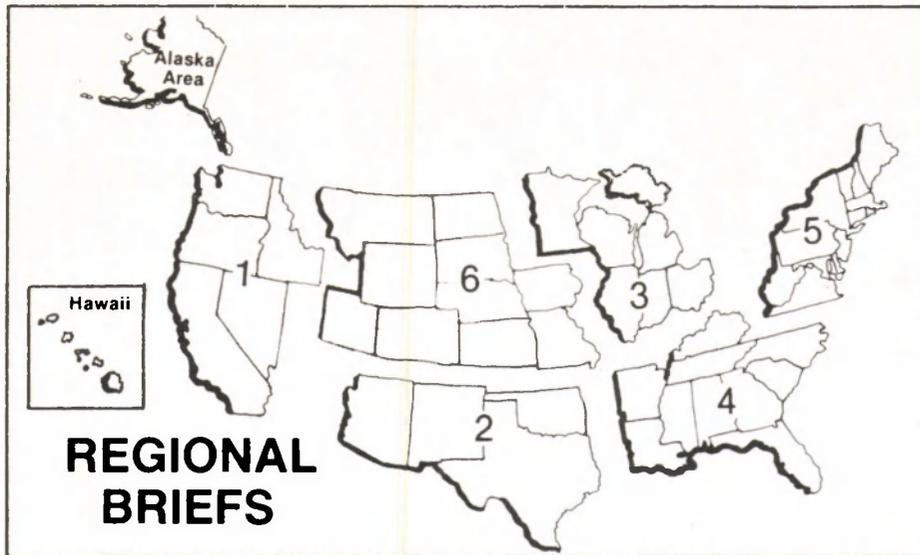
Suitable habitat for the clapper rail

consists of a marsh environment with cordgrass or pickleweed for nesting and escape cover, a supply of crabs, clams, and related invertebrates for food, and a feeding area of tidal flats interspersed with saltmarsh vegetation. As long as suitable habitat is protected, the birds seem to thrive because they face little threat from predators and they can tolerate a high level of human presence.

Specifically, the plan proposes additional research to aid in determining population numbers, distribution, and current limiting factors.

According to the recovery team, habitat degradation due to restriction of tidal flow has prevented most

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REGIONAL BRIEFS

Endangered Species Program regional staffers have reported the following activities for the month of July.

Region 1. An informal agreement was reached with officials of the San

Diego Zoological Society regarding the site, specifications, and funding of a California condor (*Gymnogyps californianus*) captive breeding facility. A formal proposal preparatory to a contract will be forthcoming from the

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U.S. Fish and Wildlife Service Regions

Region 1: California, Hawaii, Idaho, Nevada, Oregon, Washington, and Pacific Trust Territories. **Region 2:** Arizona, New Mexico, Oklahoma, and Texas. **Region 3:** Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. **Region 4:** Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the Virgin Islands. **Region 5:** Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia. **Region 6:** Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. **Alaska Area:** Alaska.

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Society.

A status report on *Stephanomeria malhenrensis*, a proposed Endangered plant in Oregon, was sent to the Washington Office with a recommendation that final listing be initiated.

Region 2. Endangered Species personnel monitored the movement of a huge oil spill that resulted from the blowout of a Mexican well on June 3. Cooperation with the Mexican Government and other agencies was arranged for the recovery of newly hatched Kemp's Ridley sea turtles (*Lepidochelys kempii*) from Padre Island, Texas, which was affected by the spill.

Region 3. A biological opinion was issued to the Nicolet National Forest in Wisconsin regarding campground development policies. According to the opinion, if certain guidelines are followed, there will be no jeopardy to bald eagles (*Haliaeetus leucocephalus*) in the area.

A report has been written to map all actions involving Endangered species reported to the Regional Office. The report enumerates and organizes each report by location, cooperating agency, and type of action. Regional staffers will be able to use this report to determine areas with inadequate reporting.

Region 4. The Red Wolf Recovery Team, cooperating with Region 2, met with Tennessee Valley Authority personnel at Land Between the Lakes (LBL) to evaluate the area as a reintroduction site for the species. According to the team, LBL personnel who manage the 170,000 acre peninsula are enthusiastic and appear capable of handling the program. However, the area has some disadvantages, so no final decision has been made.

The Endangered Species staff sponsored a 5-hour training seminar in Atlanta on Section 7 consultation. Representatives from approximately 50 agency offices in 11 States attended.

Region 5. A recovery plan for the eastern population of the American peregrine falcon (*Falco peregrinus anatum*) was submitted for final review. A Technical Review draft of the Chesapeake Bay Bald Eagle Recovery Plan was also submitted.

Region 6. Endangered Species personnel attended an intra-Service regional meeting at Park City, Utah to discuss Endangered species policy, procedures, and activities, with an emphasis on Section 7.

Alaska Area. The preliminary results of this summer's peregrine falcon banding activities have been encouraging. A total of 105 fledglings have been banded on the major nesting areas of the Porcupine, Colville, and Yukon Rivers. Funding for the operation was received through a cooperative Agreement with the Alaska Office of the

Bureau of Land Management.

The Arctic Slope Regional Corporation, in a land trade agreement with the Interior Department, has agreed to restrict land uses on Native lands along the Colville River to protect the prime nesting area of the Arctic peregrine falcon (*Falco peregrinus tundrius*). The Native Corporation will conform to Section 7 of the Endangered Species Act, just as a Federal agency would, for any proposed development in specific areas.

ENDANGERED SPECIES SCIENTIFIC AUTHORITY

Notices—July 1979

Composed of representatives from seven Federal agencies, the Endangered Species Scientific Authority (ESSA) was established by Executive order to insure the scientific soundness of governmental decisions concerning trade in endangered species of animals and plants. As the U.S. Scientific Authority for the Convention on International Trade in Endangered Species of Wild Fauna and Flora, ESSA reviews applications to export and import species protected under the Convention, reviews the status of wild animals and plants impacted by trade, monitors their trade, makes certain findings concerning housing and care of protected specimens, and advises on trade controls.

EXPORT FINDINGS PROPOSED FOR APPENDIX II SPECIES

Export findings were proposed by the ESSA for five Appendix II species protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (F.R. 7/12/79). These findings relate to whether commercial export of bobcat (*Lynx rufus*), lynx (*Lynx canadensis*), river otter (*Lutra canadensis*), Alaskan brown bear (*Ursus arctos*), or Alaskan gray wolf (*Canis lupus*) taken in the 1979-80 harvest will not be detrimental to (1) the survival of the species and/or (2) the survival of similar species protected by CITES. The ESSA states that

both findings must be positive before permits can be issued by the Wildlife Permit Office for the export of bobcat, lynx, and river otter. The ESSA believes the second finding alone must be positive before export permits can be issued for the export of Alaskan brown bear and Alaskan gray wolf.

The ESSA believes the determination of two separate findings as stated above is required by Article II 2(a) and (b) of the CITES, respectively, and constitutes a different approach from that used the past two seasons, when findings were limited to those conforming to listing under Article II 2(a). A discussion of this change was presented in the ESSA's advance notice (F.R. 4/30/79) and is treated at length in the present proposal. Additional applicable discussion on the phrase "not detrimental to the survival of the species" is presented in the ESSA's proposed procedural and interpretive regulations (F.R. 7/11/79). (See May 1979 and August 1979 BULLETINS for articles on each of the above mentioned documents.)

Proposed Findings Under Article II 2(a)

Recent information received for bobcat, lynx, and river otter is summarized on a State-by-State basis along with

proposed conditions under 2(a). Export of bobcat was proposed for approval from 14 States and from the Navajo Nation; export of river otter from 11 States; and export of lynx from 4 States with open seasons on the species. Further consideration of export of these species taken in other States awaits receipt of additional information from those States. Guidelines for findings and proposed conditions for species under 2(a) are the same as those developed for the 1978-79 season (see F.R. 4/10/78 and F.R. 7/7/78).

Proposed Findings Under Article II 2(b)

The ESSA proposed to find that export of specimens of the five species in question will not be detrimental to the survival of similar species protected by CITES. Conditions, in addition to tagging, involving international fur trade and harvest in other countries, are also proposed. Guidelines under 2(b) address the question of potential detriment to other associated species. Amendments incorporating the findings and conditions into appropriate regulations on the species were also proposed.

The final export findings are expected to be published in late September.

ESSA REGULATIONS PROPOSED

Procedural and interpretive regulations have been proposed to describe the composition and fundamental operation of the Endangered Species Scientific Authority (ESSA) (F.R. 7/11/79). The proposed rules also delineate the authorities and duties of the ESSA under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and include procedures to comply with the Freedom of Information Act, 5, U.S.C. 552.

The proposed regulations integrate and draw mainly from the CITES and Executive Order 11911, both charter documents for the ESSA. The proposal also adds other procedures and guidelines arrived at through the ESSA's experience with the publication of various export findings and the establishment of import and export policy regarding species on the CITES appendices.

Lengthy discussion is given to the phrase "not detrimental to the survival of the species" in the proposed rule, indicating ESSA's desire to interpret it more conservatively than maximum sustained yield and in a manner consistent with the principles arrived at by cooperating conservation groups in a series of 1975 workshops devoted to developing a better scientific basis for management of fisheries and other critical living resources. (These principles are published in the Sixth Annual Report of the Council on Environmental Quality, December 1975, pp. 405-407.) Pending development of a more precise definition, the ESSA expects to address the concept of scientific wildlife management in their periodic general findings for various species.

The complete proposal can be found on pages 40598-40605 of the July 11, 1979, *Federal Register*.

Copies of approved recovery plans may be obtained from the Fish and Wildlife Reference Service, 3840 York Street, Unit I, Denver, Colorado 80205. There will be a charge for cooperators (those receiving funds under the Federal Aid in Fish and Wildlife Restoration programs and the Anadromous Fish Conservation program, including the Fish and Wildlife Service) of 10¢/page over 100 pages for a photocopy, and 50¢/fiche over 20 fiche for microfiche. (None of the above referenced recovery plans runs more than 100 pages.) Clients (agencies, organizations, and individuals not listed as co-operators) will be charged a flat rate of 10¢/page and 50¢ fiche.

Rulemaking Actions

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WEST AFRICAN MANATEE THREATENED

The West African manatee (*Trichechus senegalensis*) has been determined to be a Threatened species in a final rulemaking issued by the Service (F.R. 7/20/79). Prompted by data submitted by the Marine Mammal Commission, this rulemaking, coupled with protection given the species under the Marine Mammal Protection Act, will provide additional import prohibitions and restrictions on transportation or sale in interstate or foreign commerce.

Occurring in the coastal waters and adjacent rivers along the west coast of Africa, the manatee population has been seriously depleted because of intense hunting. Hunting has led to the extermination of the species in the

BOX SCORE OF SPECIES LISTINGS

Category	Number of Endangered Species			Number of Threatened Species		
	U.S.	Foreign	Total	U.S.	Foreign	Total
Mammals	33	251	284	3	19	22
Birds	67	145	212	3		3
Reptiles	11	48	59	10		10
Amphibians	5	9	14	2		2
Fishes	29	11	40	12		12
Snails	2	1	3	5		5
Clams	23	2	25			
Crustaceans	1		1			
Insects	6		6	2		2
Plants	23		23	2		2
Total	200	467	667	39	19	58

Number of species currently proposed: 160 animals
1,850 plants (approx.)

Number of Critical Habitats listed: 34
Number of Recovery Teams appointed: 66
Number of Recovery Plans approved: 25
Number of Cooperative Agreements signed with States: 23

July 31, 1979

Niger and Mekrou Rivers along the northern boundary of Benin. In Liberia and Sierra Leone, manatees are taken with guns and harpoons in spite of existing protective regulations.

Another factor causing a decline in the species is accidental drowning in fish nets, particularly those set for sharks. It is also possible that West African manatees, like the West Indian manatees (*Trichechus manatus*) in Florida, may be victims of accidental collision with motorboats. Damming of rivers and increased boat and ship traffic in many areas may also contribute to the species' decline.

Because the West African manatee is a foreign species, Critical Habitat may not be designated. This rulemaking will take effect October 16, 1979.

FINAL ALLIGATOR RULES ANTICIPATED

Special rules ending a decade-long ban on international trade in the American alligator (*Alligator mississippiensis*) will be finalized in mid to late September, 1979. Comments and data received in response to the corresponding proposed rule (F.R. 7/18/79) will be reviewed in preparation of this final rule. This action will be featured in the October 1979 BULLETIN.



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SHORE BUG STATUS UNDER REVIEW

The status of an insect known only from Wilbur Hot Springs, Colusa County, California is being reviewed by the Service to determine if it should be added to the U.S. List of Endangered and Threatened Wildlife and Plants. The Wilbur Springs shore bug (*Saldula usingeri*) faces a possible threat from

proposed geothermal development in the area.

Information regarding the status of this species should be submitted on or before September 28, 1979, to the Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

ENDANGERED STATUS GIVEN TO SAGITTARIA FASCICULATA

Sagittaria fasciculata (bunched arrowhead) has been listed by the Service as an Endangered species (F.R. 7/25/79). Only two populations of this plant, occurring in North and South Carolina, now exist.

The North Carolina population of *Sagittaria fasciculata*, found in Henderson County, has been almost completely destroyed by industrial development, highway and railroad

construction, and herbicide use. This population is located in a seepage near a highway and adjacent to a railroad bank. Grading and filling operations involved in widening the highway, and the resultant changes in drainage patterns of the area have reduced the habitat of this plant. Herbicides sprayed along the railroad have also damaged the population. Railroad work earlier this year left a very small

and extremely vulnerable population in North Carolina.

In Greenville County, South Carolina the second population occurs in a power line right of way, along the headwaters of a river. The openness of this habitat, which is maintained by Duke Power Company, is probably responsible for the vigorous nature of *Sagittaria fasciculata* at this location.

Both populations occur on private lands and could be threatened by future development.

This rulemaking, which went into effect on August 31, 1979, makes it generally unlawful to import or export this species, or to deliver, receive, carry, transport or ship this species in interstate or foreign commerce by any means, or sell or offer for sale in interstate or foreign commerce. It also protects the plant from any Federal government projects which might otherwise jeopardize its existence.

RULEMAKING ACTIONS

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Photo by Sanford Wilbur

Probably no more than 250 light-footed clapper rails remain in California.

RECOVERY

Continued from page 1

marshlands from supporting optimum densities of rails. The team says that reestablishing tidal flow should automatically improve conditions for rails. In addition, improving marsh plant growth through ditching and grading of lands is recommended by the plan to further help reestablish rail populations. The plan also calls for a release program involving transplanted or captive-raised rails.

To carry out these activities, the plan calls for the involvement of the Fish and Wildlife Service, the California Departments of Fish and Game and Parks and Recreation, Santa Barbara County, and the Department of the Navy, among others.

Woundfin

The Woundfin Recovery Team has developed a plan aimed at enhancing



Photo by James Johnson

The Woundfin Recovery Plan calls for at least two additional self-sustaining wild populations.

existing populations, managing habitat, and restoring at least two additional populations of the species within its historic range. The woundfin, the most silvery of all American minnows, currently exists only in the Virgin River from LaVerkin Springs and the lower portion of LaVerkin Creek in Utah, to Lake Mead in Nevada.

Records indicate that the woundfin lived as far up the Gila River system as the Salt River at Tempe, Arizona and the Colorado River from Yuma to, and including the Virgin River. It is probable that woundfin also occurred further upstream on the Gila, Salt, and Verde Rivers. Construction of dams and reservoirs on these rivers and on the mainstream of the Colorado River has virtually eliminated woundfin habitat.

To achieve the ultimate goal of a complete delisting of the species, the recovery team has recommended that at least two suitable habitat sites be selected, management plans be prepared, and these sites be stocked with transplanted woundfin. Among possible transplant sites recommended by the team are the upper Gila and upper Verde Rivers in Arizona, and perhaps the Bill Williams, Moapa, and Hassayampa Rivers.

Eastern Brown Pelican

The eastern brown pelican was known to nest along the coasts of eastern Mexico, Texas, Louisiana, Florida, South Carolina, and North Carolina. By the early 1960's, the brown pelican had been extirpated from Louisiana and nearly so from Texas. Significant U.S. breeding populations are now limited to Florida and South Carolina.

Why the brown pelican was the only coastal breeding bird to suffer so severely during the 1950's and '60's cannot be adequately explained. Whatever the cause, it was pervasive enough to exterminate a population in spite of its large numbers. To better understand the threats facing this species, the recovery plan includes among its objectives, the identification, monitoring and control of population limiting factors.

The primary objective of the plan is to prevent further extirpation of the species in its historic range and to restore it in vacant nesting habitat. Birds from the Florida population have provided breeding stock for Louisiana, and a restocking project using crippled pelicans from Florida is currently being attempted in Texas.

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Rulemaking Actions

July 1979

STATUS OF SEVEN U.S. SPECIES CLARIFIED

Because of an oversight in the listing process in 1973, the U.S. populations of seven Endangered species have been found not to be covered by the Endangered Species Act (F.R. 7/25/79). Two birds, the short-tailed albatross (*Diomedea albatrus*) and thick-billed parrot (*Rhynchopsitta pachyrhyncha*) and five mammals, the wood bison (*Bison bison athabascaae*), northern swift fox (*Vulpes velox hebes*), jaguar (*Panthera onca*), margay (*Felis wiedii*) and ocelot (*Felis pardalis*) were affected by the oversight.

Foreign populations of these species are not affected and still receive full protection. Furthermore, since the fact that the U.S. populations are not on the list is due to a legal oversight rather than a change in their biological status, the Service has urged all Federal and State agencies to

provide them with the same consideration which listed species receive.

The seven species were included on the old foreign endangered species list under the 1969 Endangered Species Conservation Act. When the 1973 Act was passed, the distinction between U.S. and foreign populations was dropped and the two lists were merged. The seven then appeared on the merged list as Endangered throughout their ranges, but the Governors of affected U.S. States had not been given an opportunity to first comment on their status. Governors' comments are mandatory before the listing of U.S. species can take effect, so the listings of U.S. populations on the merged list were invalid.

The Service plans to move quickly to repropose the species.

TWO CROCODILES PROPOSED FOR ENDANGERED STATUS

After a status review of two crocodilian species, the Service has issued a proposed rulemaking to list, as Endangered, the American crocodile (*Crocodylus acutus*) outside of Florida, and the saltwater or estuarine crocodile (*Crocodylus porosus*) exclusive of the Papua New Guinea population (F.R. 7/24/79). Both species were found to be suffering from serious habitat

losses throughout their ranges and have been subject to extensive poaching for their hides.

All populations of saltwater crocodiles and American crocodiles (except in Florida) were previously proposed as Endangered under the Similarity of Appearance clause of the Endangered Species Act (F.R. 4/6/77). No final action has been taken on that pro-

posal. The Florida population of American crocodile is already listed as Endangered (F.R. 9/25/75) and Critical Habitat designated (F.R. 9/24/76). The exclusion of the Papua New Guinea population of saltwater crocodiles from the current proposal resulted from that government's assurance that strict controls are placed on crocodile farming within the country and the species is not being jeopardized by this activity.

This rule would provide additional protection to both species, which are already listed on the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, by further restricting commercial trade in their parts and products.

Both species have felt the impacts of human encroachment. Increasing human populations in Central America, the Caribbean, and South America have resulted in a loss of much available habitat for the American crocodile. The same holds true for the saltwater crocodile in some Southeast Asian countries. However, the major factor in the decline of both species is hunting for hides which are valuable in the production of fashionable leather goods. In some countries, where these species are not protected, populations have been virtually eliminated because of hunting. There have also been reported incidents of killings arising from fear, especially involving saltwater crocodiles in areas where the species has a reputation as a man-eater.

Comments on this proposed rule should be submitted by October 26, 1979, to the Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

COSTA RICAN TREE UNDER REVIEW

The Service is reviewing the status of *Jatropha costaricensis*, a Costa Rican shrub to tree species, to determine if it should be added to the U.S. List of Endangered and Threatened Wildlife and Plants.

According to data submitted in support of the petition for review, the species occurs in dry, open woodlands near Playas del Coco, Guanacaste, Costa Rica.

The Service is requesting information on the species' status, distribution, population trends, threats, or other pertinent data. Information should be submitted to the Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240, on or before October 29, 1979.



Photo by Michael Potts

The saltwater crocodile may be the largest of reptiles, with reported lengths of well over 20 feet.