



ENDANGERED SPECIES TECHNICAL BULLETIN

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

Beaver Dam Slope Population of the Desert Tortoise Listed as Threatened

Michael Bender

The Service has listed a unique but declining population of the desert tortoise (*Gopherus agassizii*), the Beaver Dam Slope population in Utah, as a Threatened species, and has determined its Critical Habitat (F.R. 8/20/80).

This action was taken because the population continues to decline, primarily as a result of habitat deterioration and overcollection in the past, although these factors reduced numbers to such a point that other threats, such as predation, also may have become significant.

The Beaver Dam Slope population was originally proposed on August 23, 1978, as Endangered, with Critical Habitat, following a petition by Dr. Glenn R. Stewart on behalf of the Desert Tortoise Council. In accordance with the 1978 amendments to the Endangered Species Act, the Critical Habitat portion of the proposal was later withdrawn and repropoed, and a public meeting and hearing were held in St. George, Utah. Because conservation efforts by the Bureau of Land Management could lead to a stabilization of the population, the tortoise was listed as Threatened in the final rule rather than Endangered, but the designated Critical Habitat area was identical to that originally proposed.

Background

The desert tortoise occurs in western Arizona, southern California, southern Nevada, southwestern Utah, and adjacent areas in Mexico. The Service believes that the Beaver Dam Slope tortoises, which inhabit southwestern Washington County, Utah, constitute a

Continued on page 4

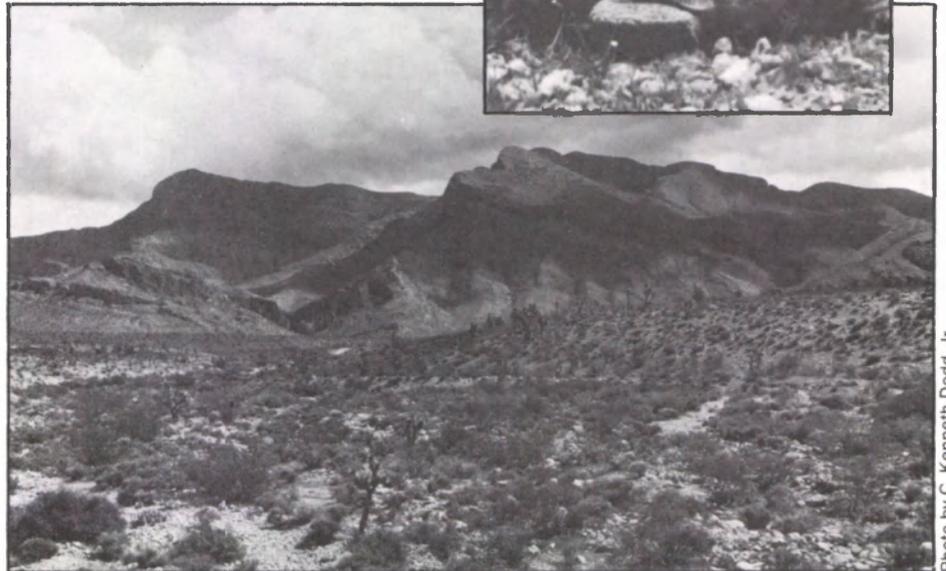
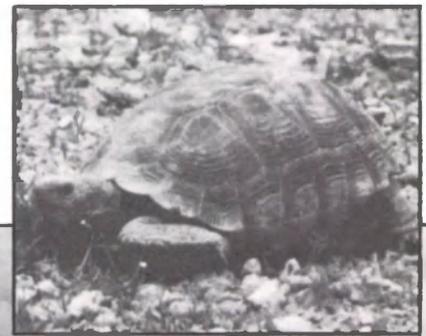


Photo by C. Kenneth Dodd, Jr.

The Bureau of Land Management, which administers this Critical Habitat for the desert tortoise (inset above), has already taken steps to reduce overgrazing.

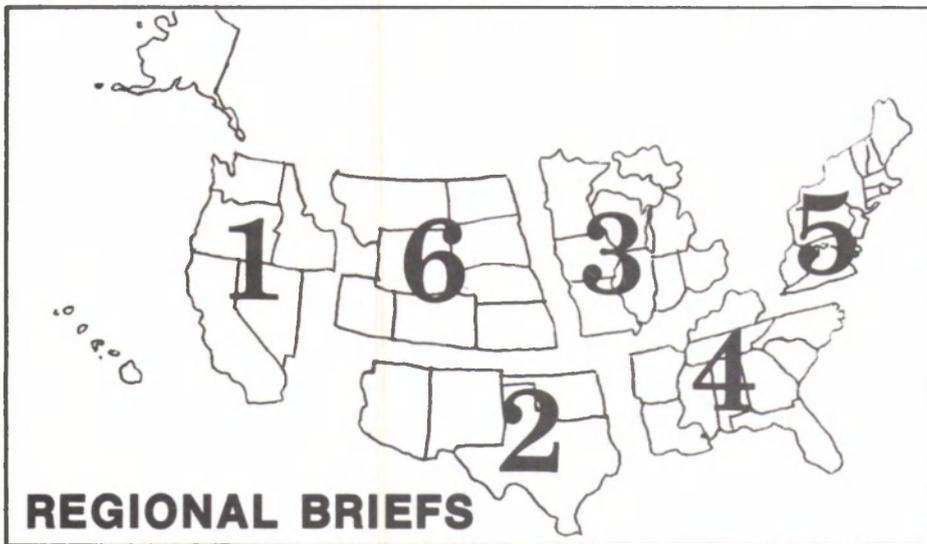
Wildlife Import/Export Licenses Required

Clare Senecal

Persons engaged in business as an importer or exporter of fish or wildlife and their parts or products, are now required to be licensed by the Service (F.R. 8/25/80). Applications for the \$50.00 license must be filed with the Service's Division of Law Enforcement on or before December 31, 1980.

Temporary permission (F.R. 3/5/74) was granted to importers and exporters to continue trade in wildlife until further notice. This permission expires December 31, 1980, unless a person engaged in the wildlife import/export business has filed a complete application, as mentioned above. Any person fil-

Continued on page 3



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

Region 1. Because of destruction of its host plant, *Eriogonum nudum* var. *auriculatum*, prior to the acquisition of Antloch Dunes by the Service, the pop-

ulation size of Lange's metaimark butterfly (*Apodemia mormo langei*) was reduced to 200 individuals. The population is not expected to recover for several years; consequently, a captive breeding program is being considered.

A plant thought to be extinct, *Aster vialis*, was rediscovered near Eugene,

Oregon. Botanists had been searching for the plant for several years. The newly discovered population has been fenced by members of the Native Plant Society for protection from grazing.

The Hawaiian Forest Birds Survey for 1980 indicates that distribution of the Endangered Poo-uli (*Melamprosops phaeosoma*) is not restricted on Maui as expected. Also, the crested honeycreeper (*Palmeira dolei*) and Maui parrotbill (*Pseudonestor xanthophrys*) are more abundant than previously thought. They are widespread laterally around Mt. Haliakala, but still appear very restricted in their altitudinal distribution on the mountain.

The Oregon Natural Heritage Program has begun mapping localities of the State's threatened and endangered plants.

Region 2. Guidelines have been developed for the veterinary care of captive wolves being raised for reintroduction to the wild.

Five bald eagles (*Haliaeetus leucocephalus*) have fledged along the Salt and Verde Rivers in Arizona. Also in Arizona, 22 peregrine falcons (*Falco peregrinus anatum*) have fledged.

Region 3. The Service met with the Minnesota Department of Natural Resources to discuss the wolf management plan.

Region 4. TVA biologists, with assistance from the Service, surveyed the Hiwassee and Holston River snail darter (*Percina tanasi*) populations. The Hiwassee survey turned up eight young-of-the-year and 50 adults, as compared to three young-of-the-year and 36 adults last year. Although a total population estimate is not yet available, the overall data suggests that the Hiwassee population is at least stable, and probably still slowly expanding. This year marks the fifth successful spawning season in the Hiwassee since the darters were first transplanted in 1975.

In the Holston River (where the darter was transplanted in early 1979), three adult darters were seen.

An undercover operation by the Service's Law Enforcement Division culminated in the August 25 arrest of five Baldwin County, Alabama, residents for unlawful possession and transportation of alligator hides. Agents seized approximately 400 hides worth about \$40,000 if sold in the legitimate market. All of the alligators came from southern Alabama.

Region 5. Three more eaglets were provided by Region 3 for New York's bald eagle hacking project at the Montezuma National Wildlife Refuge. Once fledged, these birds will bring the year's total to eight.

Region 6. The Colorado River Fishes Recovery Team met and decided that the Colorado Squawfish Recovery Plan will be rewritten in 1981 to update the pre-

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U.S. Fish and Wildlife 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, Iowa, Michigan, Minnesota, Missouri, 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, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. **Alaska Area:** Alaska.

The ENDANGERED SPECIES TECHNICAL BULLETIN is published monthly by the U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

sent plan.

Alaska Area. Preliminary results from this year's peregrine falcon survey-banding efforts indicate a total of 148 fledglings banded.

The Aleutian Canada goose (*Branta canadensis leucopareia*) release efforts on the Aleutian Islands National Wildlife Refuge resulted in a total of 240 geese released. One hundred geese were released on Agattu Island, 120 year-old propagated geese were released on Amchitka Island, and an additional 20

propagated geese were released on Buldir Island. Of the 100 geese released on Agattu Island, 63 (11 adults and 52 goslings) were wild geese trapped on Buldir Island and transplanted prior to reaching flight stage. The additional geese were three pairs and their broods from the Amchitka propagation stock that were allowed to raise their young, and their broods were augmented with additional young. The adult males of the three pairs are wild geese that have made previous migrations to the Califor-

nia wintering grounds.

Also, nine adult males were captured on Buldir Island and will be shipped to the Northern Prairie Research Center. There they will be added to 32 adult males trapped on the California wintering grounds last year. The males will be paired with breeding age females until a firm bond is established. The pairs will then be released on Agattu Island and/or other release sites as breeding pairs in early spring, or in the summer with their broods.

Import/Export Licenses

Continued from page 1

ing an application after December 31, 1980, may not engage in business as an importer or exporter of fish or wildlife until the license is obtained from the Service.

"Along with existing civil and criminal penalties, the potential loss of a business license will be an added deterrent to would-be violators of wildlife law," said Clark R. Bavin, Chief of the Service's Division of Law Enforcement. "A person whose livelihood depends on this license will think twice before embarking on criminal activities that may lead to its revocation."

The final regulation, which requires the above licensing, will also assist in monitoring the international movement of wildlife, and resultant products. This action was taken to implement Section 9(d) of the Endangered Species Act of 1973 (ESA). The Service expects that the amendment of certain import, export, and transport rules contained in this regulation will improve its ability to protect wildlife and to establish and maintain communications with persons involved in wildlife trade.

Section 9(d) of the ESA makes it unlawful for persons to "engage in business as an importer or exporter of fish or

wildlife . . . without first having obtained permission from the Secretary (of the Interior)." This provision will be implemented by the licensing described above and will apply to all wildlife as defined by the Service's regulations and not just to Endangered and Threatened wildlife.

Therefore, in addition to being licensed, persons who import or export species protected by specific laws also must obtain the appropriate Federal and State permits. The licensing system *does not* replace the permit requirements of 50 CFR Part 17 or of any other law or regulation. In effect, the licensing provision represents an overall comprehensive program which monitors, exclusively, the commercial import and export of wildlife and wildlife products.

The comprehensive plan will allow the Service, for the first time, to trace wildlife imports from the supplier to the purchaser or ultimate consignee. Ownership of the wildlife is not a prerequisite to the new licensing requirement and consignees of imported shipments, such as freight forwarders, and taxidermists, are also now required to be licensed.

In addition to being licensed, persons involved in wildlife trade are subject to record keeping, inspection, and reporting requirements. Sanctions are available for noncompliance with these requirements.

Certain persons, generally those already regulated by other governmental agencies, for whom wildlife trade is in-

cidental to their primary business, are exempted from licensing. Also excluded are governmental agencies and non-profit organizations.

Although licensing is not required for the above mentioned groups, the other requirements, including bookkeeping, remain in effect. Record keeping is to be included as a part of whatever business records are presently maintained, and kept for a period of five years.

Information derived from bookkeeping and records inspection will give the Service early warning signals that a particular species is being excessively exploited. Such a process could also uncover other irregularities.

Inspection and clearance procedures adopted in the August regulations continue the past practice, with slight modifications. This procedure has proved both effective and expedient.

No provision for controlling import/export traffic in plants is included in this rule. The Service recognizes some responsibility for providing such rules but wishes to do so at a later date in conjunction with the Department of Agriculture.

Applicants for licenses, and persons simply wanting additional information regarding the August 1980 import/export wildlife regulations, should contact either the U.S. Fish and Wildlife Service, Division of Law Enforcement, Department of the Interior, Washington, D.C. 20240, (202/343-9242) or the Special Agent-in-Charge for their State. Addresses of agents are listed below.

Alaska:

P.O. Box 42597, Anchorage, Alaska
99509 (907-276-3800).

Hawaii, Idaho, Oregon, Washington:

Lloyd 500 Building, Suite 1490,
500 N.E. Multnomah Street,
Portland, Oregon 97232 (503-231-6125).

California and Nevada:

2800 Cottage Way, Room E-1924,
Sacramento, California 99825
(916-484-4748).

Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming:

P.O. Box 25486 Denver Federal Center,
Denver, Colorado 80225 (303-234-4612).

Arizona, New Mexico, Oklahoma, and Texas:

P.O. Box 329, Albuquerque, New
Mexico 87103 (505-766-2091).

Illinois, Indiana, Iowa, Michigan, Minnesota, Mis- souri, Ohio, and Wisconsin:

P.O. Box 45, Twin Cities, Minnesota
55111 (612-725-3530).

Arkansas, Mississippi, and Louisiana:

1010 Gausz Boulevard, Building 936,
Slidell, Louisiana 70458 (504-225-6471).

Alabama, Florida, Georgia, and Puerto Rico:

P.O. Box 4839, Atlanta, Georgia 30302
(404-221-5872).

Kentucky, North Carolina, South Carolina, and Tennessee:

P.O. Box CH-66, Nashville, Tennessee
37203 (615-251-5532).

District of Columbia, Delaware, Maryland, Pennsylvania, Virginia, and West Virginia:

95 Aquahart Road, Glen Burnie, Maryland
21061 (301-761-8033).

New Jersey and New York:

Century Bank Building, 2nd Floor,
700 Rockaway Turnpike, Lawrence,
New York 11559 (212-995-8613).

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont:

P.O. Box "E", Newton Corner,
Massachusetts 02158 (617-965-2298).

Rulemaking Actions

August 1980

SERVICE COMPLETES FIRST PLANT EMERGENCY LISTING

For the first time, the Fish and Wildlife Service has issued an emergency rule providing Endangered Species Act protection for 240 days to a plant, the Osgood Mountains milk-vetch (*Astragalus yoder-williamsii*). Endangered status and Critical Habitat are both provided in this action (F.R. 8/13/80). The authority to expand emergency listing to include plants was one of the 1979 amendments to the Endangered Species Act.

Known from eastern Humboldt County, Nevada, and southeast of Black Butte, Owyhee County, Idaho, *Astragalus yoder-williamsii* is found on exposed ridge crests and flat plateaus of decomposed granite gravel or sandy soil from granodiorite parent material, at elevations of 1,890 to 2,230 meters. The Nevada population, in the northern Osgood Mountains, is estimated at about 500 individuals. The Idaho population numbered less than 10 plants in 1977.

Both populations occur on Bureau of Land Management (BLM) land with the Idaho population also found on privately owned land. Because mining claims were made recently at both sites, and assessment work on the claims in Nevada appears imminent, BLM requested this emergency rule in a letter to the Service Director dated July 1, 1980.

The Nevada population lies within mining claims of a private corporation. The claims lie on deposits of tungsten and gold ore. The ore deposits are immediately to the west and north of this population of the species. (Access to the ores on BLM land is regulated by the Mining Law of 1872.) Considerable mining excavations occur within one mile of the population in all directions, a road passes through the population, and past mining assessment cuts have been made in the species' habitat.

BLM has advised our Service that it intends to set aside the Nevada habitat for the species as an Area of Critical Environmental Concern, under the Federal Land Policy and Management Act of 1976 (P.L. 94-579). The Nevada habitat is also designated as Critical Habitat by our Service.

The Idaho population was discovered in June 1977, but no plants were found in the area this June. Because no plants were found, this area was not designated as Critical Habitat.

Endangered status and Critical Habitat shall remain in effect for 240 days, or until April 15, 1981. During that time, the Service anticipates carrying out normal proposed and final rules for the species, so as to provide it with long term protection.

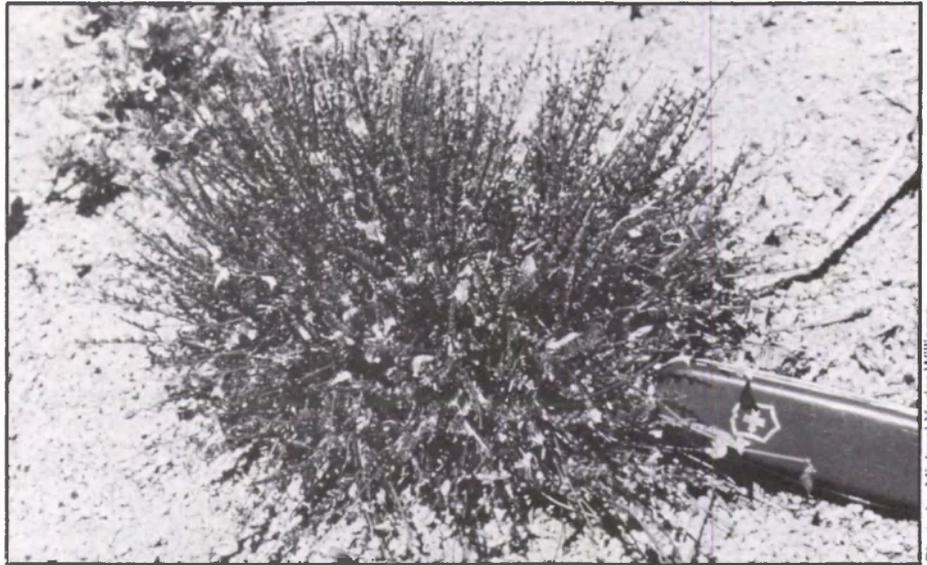


Photo by Michael Yoder-Williams

Astragalus yoder-williamsii is the first plant to be listed under an emergency rule.

Desert Tortoise

Continued from page 1

unique population because they live in a transitional area between northern and southern faunas and, at least in part, are separated from tortoises in other parts of the species' range by mountains and other natural barriers. This population is of particular scientific value because it was surveyed by Drs. Angus Woodbury and Ross Hardy from 1936-1946. Some of the 270 tortoises marked during that period are still alive, making them part of one of the oldest marked, continuously studied vertebrate populations in the world.

According to the Desert Tortoise Council's petition to list the tortoise, the Beaver Dam Slope in Utah at one time may have been habitat for 2,000 tortoises; fewer than 350 are thought to remain. One of the main causes of the decline in this particular area has been habitat deterioration. The slope has had a long history of overgrazing by cattle and sheep, although currently only cattle are using the range. Competition for food between tortoises and livestock may be contributing to the reptile's decline, and cattle may occasionally collapse summer burrows and inadvertently step on young tortoises.

Collection of tortoises is thought to have had a severe impact on the population in the past, especially since females reportedly were collected more often than males. A nearby interstate highway now bypasses the Beaver Dam Slope,

resulting in fewer visitors to the area and less of a collection problem. In addition, Utah State law prohibits the taking of desert tortoises. Predation by coyotes, kit foxes, and bobcats on eggs and young tortoises is thought by many to be another serious threat. Because the population is so depleted, these factors have become more serious.

Protective Measures

Under the Threatened classification, it is illegal to take desert tortoises from the Beaver Dam Slope (except under permit for approved conservation purposes), and to sell them or their products in interstate or foreign commerce.

The 35 square miles of Critical Habitat designated in Washington County, Utah, is public land administered by the Bureau of Land Management (see the January 1980 BULLETIN for details). A Critical Habitat designation does not create a sanctuary or wilderness area, nor does it represent Federal intent to control purely private land use; rather, it complements the protection already given a species at the time of its listing by requiring Federal agencies to ensure that actions they fund, authorize, or carry out will not likely jeopardize the habitat of the protected species.

In accordance with its responsibility to conserve wildlife, BLM over the year has made adjustments to correct some of the overgrazing problems. In 1965, 50 percent of cattle use was reduced, with another 23 percent proposed (although

this is now in litigation). Future grazing seasons will not extend beyond April 30, which should be helpful to the tortoise, and BLM has proposed the establishment of a 3,040 acre natural study area (also under litigation). By using such management options, it is likely that grazing will not continue to be a major threat to the survival of the tortoise.

Outlook

All States in which desert tortoises occur offer some degree of legal protection. Unfortunately, a rapidly accumulating amount of information indicates that the desert tortoise is continuing to decline throughout much of its known range, not only on the Beaver Dam Slope. In addition to past collection, competition with cattle and sheep, widespread habitat destruction caused by overgrazing, oil, gas, and geothermal leasing, increasing off-road vehicle use on the fragile desert ecosystem may prove to be a serious threat. Accordingly, on August 23, 1978, the Service published a notice of review on the status of the desert tortoise throughout its entire range, requesting comments and information from the involved States, the government of Mexico, and other interested parties. The Service hopes to complete its review this winter, and will then decide if future action under provisions of the Endangered Species Act is warranted.

ILLINOIS MUD TURTLE WITHDRAWN

In compliance with 1978 amendments to the Endangered Species Act, the Service has withdrawn its proposal to list the Illinois mud turtle (*Kinosternon flavescens spooneri*) as Endangered with Critical Habitat (F.R. 8/14/80). The 2-year time limit on proposals established under the amendments has expired for this species, originally proposed in the July 6, 1978, *Federal Register* (see the August 1978 BULLETIN).

The Critical Habitat portion of that proposal was withdrawn on March 6, 1979, because of procedural and substantive changes in making such a determination brought about by the 1978 amendments. Critical Habitat was repropoed on December 7, 1979. During the public comment period on the proposal, the Service received 131 written comments.

It was clear from these comments that strong differences of opinion existed on whether the Illinois mud turtle was a valid subspecies, whether population estimates were accurate, and whether the

species qualified for listing. The Service decided to convene a panel of outside qualified biologists to examine submitted data and advise the Service as to its considered judgement on the above questions, as well as other issues.

According to the panel, *Kinosternon flavescens spooneri* is a valid subspecies, but a small Nebraska population may belong to this subspecies in addition to those known from Illinois, Iowa, and Missouri. The panel said that no reliable overall population estimate was available, nor was it possible to determine a population trend. However, the panel felt that the number and quality of available habitats for the Illinois mud turtle was on the decline, and added that the subspecies needed protection, especially in Illinois. The panel did not say whether Federal, State, or local protection would be most appropriate or effective.

Based upon the panel's report, the Service decided that insufficient information was available to justify listing the Illinois mud turtle as a Threatened or Endangered species. A determination on whether or not to repropose the Illinois mud turtle will be made on the basis of findings from future research.

SERVICE LISTS LEON SPRINGS PUPFISH; DETERMINES CRITICAL HABITAT

The only known wild population of the Leon Springs pupfish (*Cyprinodon bovinus*), located near Fort Stockton, Pecos County, Texas, has been determined by the Service to be an Endangered species with Critical Habitat designated (F.R. 8/15/80).

Discovered in 1851 from Leon Springs, the pupfish disappeared from this locality because of radical modification of the spring. By 1938 the species was thought to be extinct. However, it was rediscovered in 1965 from Diamond Y Spring, approximately 9 miles north of Fort Stockton.

The pupfish is small and varies in body color from dusky gray to iridescent blue. Sexes can be readily distinguished by shape, color, and lateral markings. The species occurs in a highly saline habitat and prefers quiet waters near the edges of shallow pools with a minimal growth of vegetation. Male pupfish guard small territories in shallow waters where the females are attracted by courtship behaviors, spawning takes place, and eggs are deposited. The Diamond Y Spring population of Leon Spring pupfish appears to be in good condition with

summer densities reaching more than three fish per square yard in shallow open habitats.

The major threats to this species' survival are pollution from oil spills, diminishing spring flows, and introduced exotic fishes. The present habitat of the pupfish is surrounded by an active oil and gas field. A refinery is located about 500 yards upstream of the main spring head that supplies permanent water to the pupfish habitat. Oil spills have occurred in this area in the past, resulting in considerable fish mortality, however measures have recently been taken to correct this problem.

Groundwater pumping in Pecos County has already dried several springs and has reduced the discharge from Diamond Y and associated springs supporting Leon Creek. Continuation of this activity could destroy the wild Leon Springs pupfish population and its natural habitat.

Hybridization occurred between *Cyprinodon bovinus* and the sheephead minnow (*Cyprinodon variegatus*) when the latter species was released into Leon Creek in 1974. All exotic sheephead minnows and hybrids were removed from Diamond Y Spring and Leon Creek by August 1978. However, many areas of the species' habitat are readily accessible and still vulnerable to the release of harmful exotics.

The Service has determined that the entire known range of the Leon Springs pupfish is Critical Habitat. This area includes Diamond Y Spring and a portion of its outflow stream, Leon Creek.

CRITICAL HABITAT PROPOSED FOR MARYLAND DARTER

The Service has proposed to designate two small segments of streams in Harford County, Maryland, as Critical Habitat for the Endangered Maryland darter (*Etheostoma sellare*—F.R. 8/28/80).

The Maryland darter is a member of the freshwater perch family. Like many other darters, this fish inhabits rock crevices and similar shelters in clean, well-oxygenated, swiftly flowing parts of streams. They remain on or near the bottom of this riffle habitat, darting quickly from shelter to shelter. Darters feed mostly on small riffle insects and other invertebrates with habitat requirements similar to their own.

Known to occur only in Deer Creek and Gasheys Run, the Maryland darter was first collected in 1912 from a tributary of Swan Creek, near Havre de

Continued on page 6

Continued from page 5

Grace, Maryland. A single juvenile Maryland darter was discovered in 1962 in Gasheys Run, and an apparently self-sustaining population was found in the lower part of Deer Creek in 1965. Repeated collections from the middle and upper stretches of Deer Creek have failed to yield any Maryland darters.

Details on the species' life history have been hard to come by because of its extreme rarity. Biologists speculate that habitat needs limit the species to base level parts of the stream, or perhaps other fish species have a competitive advantage in the upper reaches. Widespread survey collecting elsewhere in the region now indicates it is unlikely that other breeding populations exist.

Activities which could have an adverse impact on the proposed Critical Habitat include water removal and the introduction of chemicals, organic waste matter, or silt. Only activities carried out, authorized, or funded by a Federal agency would be affected by the Critical Habitat designation.

Proposed as Critical Habitat for the Maryland darter are the riffle zones of Deer Creek downstream from its confluence with Elbow Branch, including adjacent pool areas which may be necessary nursery and/or food supply zones. The area in Gasheys Run (also known as Gasheys Creek) includes both forks from their crossing of Penn Central Railroad to the confluence with Swan Creek.

A public meeting was held on this proposal on September 30, 1980 (as announced in the August 1980 BULLETIN). Comments on this proposed rule must be submitted by November 26, 1980, and should be sent to the Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

McKittrick Pennyroyal Proposed As Threatened

The Service has proposed Threatened status and a determination of Critical Habitat for the McKittrick pennyroyal (*Hedeoma apiculatum* W. S. Stewart), a native plant of Texas and New Mexico (F.R. 8/15/80). Threatened by habitat destruction from park development on Federal lands (i.e., trail building and facilities siting), and by any major change in land use on privately owned land (where one population of the species occurs), *Hedeoma apiculatum* is estimated to number less than 950 individuals.

A member of the mint family (Labiatae), this species is endemic to open limestone rock surfaces and out-



Photo by Robert Irving

Hedeoma apiculatum is subject to disturbance from hikers wandering from trails and climbing over ledges and boulders that support colonies of the species.

crops in canyons and along streamways in the Guadalupe Mountains of Texas and New Mexico, at elevations above 1,600 meters. The plant has no natural protection and is, therefore, extremely vulnerable to disturbance.

Populations of McKittrick pennyroyal in Guadalupe National Park and adjacent Lincoln National Forest are somewhat protected from habitat destruction or modification. Guadalupe National Park has implemented some protective management strategies for the plant. Also, a congressional committee recommended that the Forest Service and the National Park Service cooperate in preserving the natural resources of the North McKittrick Canyon and other canyons in the Lincoln National Forest. However, most of the localities of this species are accessible by hiking trails. Increased hiking traffic could destroy habitat, and because the plants are easily dislodged, the impact of hikers leaving the trail and climbing over the ledges and boulders that support colonies of *Hedeoma apiculatum* could be devastating. Also, high visibility from the trails could increase the possibility of taking.

Because of the restricted distribution and small population numbers, any human pressure on this species may increase the possibility of small populations becoming extinct through natural population fluctuations. Severe floods have also been shown to reduce populations of McKittrick pennyroyal in streambeds.

Critical Habitat for *Hedeoma apiculatum*, as proposed, includes the areas in Texas where the three largest and best known populations of this species occur. Critical Habitat is not being proposed for the smallest population in Guadalupe Mountains National Park, the population in Lincoln National Forest, or the population on private land because they are not well studied or un-

derstood at present.

A public meeting was held on this proposal on August 27, 1980, at Carlsbad, New Mexico.

Comments from the public must be submitted by November 13, 1980, to the Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

TWO CALIFORNIA BEETLES LISTED AS THREATENED

Two beetles occurring in California have been listed by the Service as Threatened species, with Critical Habitat determined for each (F.R. 8/8/80). The delta green ground beetle (*Elaphrus viridis*) and the valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) were each proposed for listing in the August 10, 1978, *Federal Register* (see the September 1978 BULLETIN).

Valley Elderberry Longhorn Beetle

In the notice proposing this beetle as a Threatened species, the common name "California elderberry longhorn beetle" was used. Since this name would more appropriately apply to the nominate coastal subspecies, *Desmocerus californicus californicus*, the Service is now using the common name "valley elderberry longhorn beetle."

The valley elderberry longhorn beetle originally occurred in elderberry (*Sambucus* sp.) thickets in moist valley oak woodland along the margins of the Sacramento and San Joaquin Rivers in the Central Valley of California. Currently, the beetle is known from less than 10 localities in Merced, Sacramento, and Yolo Counties. Agricultural conversion, levee construction, and stream channelization have taken their toll on the species' habitat. Also, in some State and county parks where populations of the beetle occur, the clearing of undergrowth (including elderberry) and planting of lawns has caused further habitat degradation.

Two areas in Sacramento County have been designated as Critical Habitat for the valley elderberry longhorn beetle. An area in Solano County which was proposed as Critical Habitat (F.R. 5/2/80) was not included in the final rulemaking because of a lack of information on the beetle in that area.

Delta Green Ground Beetle

This beetle is known to occur only at two sites in Solano County.

Metallic green and golden in color, this beetle is a predaceous member of the family Carabidae. It is known to oc-

cur only near two vernal pools south of Dixon, Solano County, California. Agricultural practices in this area threaten the species' survival.

The delta green ground beetle was first collected in 1876 from an unknown locality in California and was not rediscovered until 1974. Vernal pools, which are filled by winter rains and dry out by late summer, were once widespread throughout California, but only a few remain. Many of the vernal pools have been lost to river channelization, dam construction, and agricultural conversion of natural habitats. Elimination of the two vernal pools by agricultural conversion or other causes may cause the beetle's extinction. At one of the pools, plowing and land leveling may have already adversely affected the beetle.

Based on suggestions by the California Department of Fish and Game and the State Water Resources Control Board, the Service included in its final Critical Habitat designation a portion of Olcott Lake outside the proposed Critical Habitat boundaries (F.R. 5/2/80) and the elimination of two areas which appear to be unsuitable as habitat for the beetle.

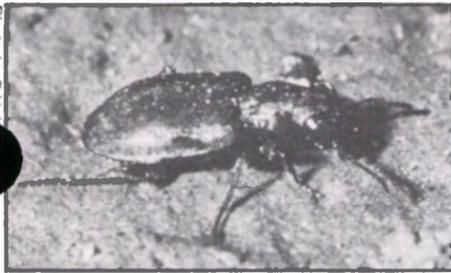


Photo by D.H. I.

STATUS REVIEW OF 18 FOREIGN REPTILES

The Service is reviewing the status of 18 species of foreign reptiles to determine whether they should be proposed for inclusion on the U.S. List of Endangered and Threatened Wildlife (F.R. 8/15/80). These species, listed in the accompanying table, are declining due to various threats including habitat destruction, the introduction of non-

native predators, exploitation as a human food source (mainly by local people), and overcollection.

Comments and materials relating to the status of these species should be submitted by November 13, 1980, to the Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

| Common name | Scientific name | Range |
|-------------------------------|------------------------------------|---------------------------------------|
| Serpent Island gecko | <i>Cyrtodactylus serpensinsula</i> | Mauritius |
| Acklins ground iguana | <i>Cyclura rileyi nuchalis</i> | Bahamas |
| Allen's Cay iguana | <i>Cyclura cyclura inornate</i> | Bahamas |
| Andros Island ground iguana | <i>Cyclura cyclura cyclura</i> | Bahamas |
| Cuban ground iguana | <i>Cyclura nubila</i> | Cuba, Cayman Islands |
| Exuma Island iguana | <i>Cyclura cyclura figginis</i> | Bahamas |
| Jamaican iguana | <i>Cyclura collei</i> | Jamaica |
| Mayaguana iguana | <i>Cyclura carinata bartschi</i> | Bahamas |
| Turks and Caicos iguana | <i>Cyclura carinata carinata</i> | Turks and Caicos Islands |
| Watling Island ground iguana | <i>Cyclura rileyi rileyi</i> | Bahamas |
| White Cay ground iguana | <i>Cyclura rileyi cristata</i> | Bahamas |
| Gray's monitor lizard | <i>Varanus grayi</i> | Philippines |
| Hierro giant lizard | <i>Gallotia simonyi</i> | Canary Islands |
| Aruba island rattlesnake | <i>Crotalus unicolor</i> | Aruba Island |
| Asiatic box turtle | <i>Cuora trifasciata</i> | Hong Kong, People's Republic of China |
| Central American river turtle | <i>Dermatemys mawei</i> | Belize, Mexico, Guatemala |
| Chinese big-headed turtle | <i>Platysternon megacephalum</i> | Hong Kong, People's Republic of China |
| Lar Valley Viper | <i>Vipera latifii</i> | Iran |

The delta green ground beetle is threatened by loss of habitat due to agricultural practices.

CITES PROTECTION BROADENED FOR CACTI

Because of a legal interpretation, the plant family Cactaceae (cactus) will now receive wider protection under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES—F.R. 8/26/80).

The Departments of the Interior and Agriculture, which are responsible (under provisions of the Endangered Species Act and Convention) for enforcement of activities involving the international movement of nonterrestrial plants and terrestrial plants, respectively, have determined that the term "all species in the Americas" for the family Cactaceae, as found in CITES, means all species that are native to the Americas regardless of where physically located. In the past, this term has been thought to refer to certain plants of the family Cactaceae that are physically located in the

Americas. Thus, Convention documentation for import, export, or reexport have not previously been required for cacti unless the plants were moved from a location in the Americas.

According to Department of the Interior botanists, all species of the family Cactaceae (except for certain species of the genus *Rhipsalis*, which is listed separately on Appendix II) are native to the Americas, although some species

have been introduced and established in other parts of the world. Therefore, any plants of the family Cactaceae, including plants previously treated as being excluded from Appendix II, will be required to have appropriate Convention documentation at the time of importation into the United States, or exportation or reexportation from the U.S.

This new policy became effective on September 15, 1980.

OSA ISSUES EXPORT FINDINGS FOR 1979-80

The Service's Office of the Scientific Authority (formerly the Endangered Species Scientific Authority or ESSA) has issued a finding that export of bobcats (*Lynx rufus*) taken from Florida, Massachusetts, and New Mexico, during the 1979-80 season will not be detrimental to the survival of the species (F.R. 9/12/80). Final approval of such exports will not be authorized unless or until a court-ordered injunction is modified or vacated. (The bobcat is listed on Appendix II of the Convention on International

Trade in Endangered Species of Wild Fauna and Flora, for which the Service acts as U.S. Scientific Authority.)

On September 26, 1979, the ESSA published findings favorable to the export of bobcat pelts taken in the 1979-80 season in 35 States and the Navajo Nation. On December 12, 1979, as a result of a suit filed by Defenders of Wildlife, Inc., the U.S. District Court for the District of Columbia issued a Memorandum Opinion and Order which reversed

Continued on page 8

Continued from page 7

ESSA's findings for five of those States and parts of two others, thus enjoining export of bobcat pelts illegally taken in those States or areas.

In the suit, Defenders of Wildlife asked that export from all jurisdictions approved by the ESSA be prohibited and that the standards used by the ESSA in making its determinations be declared inadequate. The court found that the information used by the ESSA in making its determinations was sufficient in all but seven States. Export of bobcats taken in 1979-80 was enjoined from Florida, Massachusetts, New Mexico, North Dakota, Wisconsin, and parts of Oregon and Texas. The court did not find that the standards used by the ESSA were inadequate, but that the available information from these seven particular States was inadequate to support the ESSA findings.

Further, the court's decision only prohibits international export of pelts taken in the affected States and does not prohibit hunting, trapping, or commerce in the species within the United States, including the seven affected States.

Three of the affected States, Florida, Massachusetts, and New Mexico, have submitted additional biological and management information to the Service, and have asked for a new finding of no detriment to the species based on this additional information. This finding has as a condition that pelts are clearly identified as to State of origin and season of taking, including tagging according to standards and conditions previously established by the Service.

BOX SCORE OF SPECIES LISTINGS

| Category | Endangered | | Threatened | | Species Total |
|--------------|------------|------------|------------|-----------|---------------|
| | U.S. | Foreign | U.S. | Foreign | |
| Mammals | 32 | 242 | 3 | 20 | 279 |
| Birds | 86 | 159 | 3 | 0 | 214 |
| Reptiles | 13 | 61 | 10 | 4 | 75 |
| Amphibians | 5 | 8 | 3 | 0 | 16 |
| Fishes | 34 | 15 | 12 | 0 | 57 |
| Snails | 2 | 1 | 5 | 0 | 8 |
| Clams | 23 | 2 | 0 | 0 | 25 |
| Crustaceans | 1 | 0 | 0 | 0 | 1 |
| Insects | 7 | 0 | 6 | 1 | 13 |
| Plants | 50 | 2 | 7 | 3 | 59 |
| TOTAL | 233 | 490 | 49 | 28 | 747 |

Number of species currently proposed: 55 animals
7 plants

Number of Critical Habitats listed: 46

Number of Recovery Teams appointed: 68

Number of Recovery Plans approved: 39

Number of Cooperative Agreements signed with States:

36 (fish & wildlife)

6 (plants)

August 31, 1980

HOTLINE NEWS

The Southeastern U.S. Marine Mammal and Sea Turtle Stranding Network has established a toll free "hotline" number in Florida (800-432-6404) for reporting cetacean and sea turtle strandings. To report strandings in the

continental United States outside of Puerto Rico and the U.S. Virgin Islands, call 305-350-7310 (direct dial, reimbursable). Calls involving sea turtles will be forwarded to the appropriate State coordinator.

The previously established manatee "hotline" (800-342-1821) is still in effect.

Our service, the National Marine Fisheries Service, and the University of Miami are cooperating in this effort.



ENDANGERED SPECIES TECHNICAL BULLETIN

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



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Int 423

September 1980, Vol. V, No. 9