

ENDANGERED SPECIES

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

Early Hearings Begin Reauthorization Process

Oversight hearings to examine the implementation of the Endangered Species Act of 1973 were held by the U.S. Senate on December 8 and 10, 1981. Testimony received at those sessions, and at hearings to be conducted by the U.S. House of Representatives in early 1982, will assist the 97th Congress with the pending reauthorization of the Act.

Before May 15, 1982, both the House and the Senate will have completed their analyses of the Act and, most likely, will have developed draft legislation to amend it, as needed. Final legislation should be signed by October 1, 1982, the expiration date of the current Act.

Robert A. Jantzen, Director of the U.S. Fish and Wildlife Service (FWS), was the first person to testify before the Senate Subcommittee on Environment and Public Works. Jantzen reported on FWS's progress in implementing the Act and, in particular, the Endangered Species Act Amendments of 1978 and 1979. He promised that specific recommendations regarding possible new amendments to the Act would be made to Congress by the Department of the Interior following completion of the internal review of the legislation then underway. Ronald E. Lambertson, Associate Director-Federal Assistance and Endangered Species Program Manager, joined Jantzen in presenting the testimony.

Implementation Since Amendments

FWS testimony focused on three areas of change mandated by the 1978 and 1979 amendments—(1) listing, (2) recovery, and (3) consultation. Jantzen reported that FWS and the National Marine Fisheries Service (NMFS) had published joint final regulations which formalize the requirements of the amendments as they relate to Section 4 of the Act (listing). In order to respond to the requirements for economic analysis of Critical Habitat designations, Jantzen reported that an economic staff has been added to the Office of Endangered Species and that instructional guidelines and training have been carried out so that staff biologists can prepare most analyses.

Another major change made by Con-

gress in the Act was to require the Department to develop a recovery plan for all listed species, unless it is determined that such a plan will not promote the conservation of the species. Jantzen reported that FWS now has 44 approved plans, 23 agency drafts, and 24 technical drafts and that the major portion of the work in this area has occurred since November 1979. He said that FWS hopes to have at least 40 plans submitted for approval in fiscal year 1982.

The third major change made by Congress in the Act concerned the consultation process under Section 7. The intent of Congress in amending the Act in 1978 and 1979 was to provide for more direct involvement of FWS at the initial stages of Federal planning, so that potential problems could be surfaced at the earliest possible time in order to avoid delays. Jantzen reported that as a result of the changes "the consultation process is going very smoothly in the vast majority of cases." He stated that

while new regulations incorporating the Section 7 changes made in 1978 and 1979 have not yet been published in the *Federal Register*, either letters or memoranda have been sent to all Federal agencies informing them of changes required by the Act.

Critical Habitat Issue

The second portion of Jantzen's testimony was a summary of the review process in which the Department was concurrently involved. (See accompanying story on Interior's review.) One of the issues which surfaced during the review and about which Jantzen spoke was whether it is desirable to continue to designate Critical Habitat—a provision of the Act intended to assist Federal agencies in identifying the location of protected species. "The concept of Critical Habitat has often been perceived by the public," Jantzen said, "as tantamount to the designation of an invi-

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Department Completes Review Of Endangered Species Act

A thorough statutory and regulatory review of the Endangered Species Act of 1973, conducted by the Department of the Interior during the final quarter of 1981, was recently completed. Recommendations resulting from the review will be submitted to the Office of Management and Budget around the middle of January 1982.

The review was initiated on June 1981 when the Service began collecting information in preparation for Spring 1982 Congressional reauthorization oversight hearings on the Act. In August 1981, when Vice President Bush included the Act in a list of regulations to be reviewed under Section 3(i) of Executive Order 12291, the Department combined the regulatory review process required by the Order with the reauthorization preparation already under way.

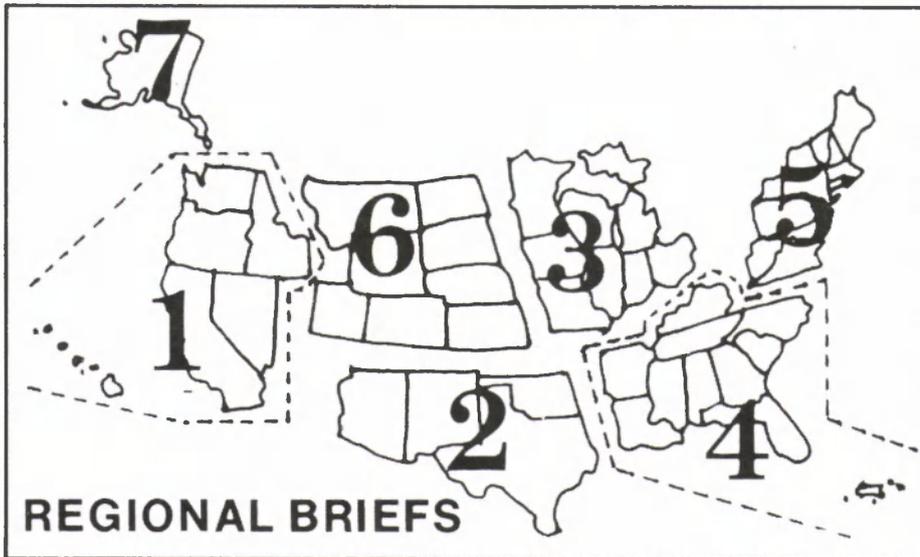
The working group which accomplished the review executed a work plan which was approved by the Office of Management and Budget in mid-Sep-

tember. The plan included a list of approximately 80 issues identified by the group itself, along with additional issues identified as the review continued.

An initial request for public comments was included in a *Federal Register* notice, published September 18, 1981. Letters transmitting this notice and copies of E.O. 12291 were sent to Federal agencies, State fish and game agencies and private organizations. Regional offices of the Service were also asked to comment. Eighty comments were received in response to the *Federal Register* notice.

By far, most States (24 responses) supported retention of the Act and continuing or increased enforcement of its provisions. Dissatisfaction with the provision or administration of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which is implemented by the Act, was the subject most discussed

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Quintin they heard 107 pairs. Projection of these partial counts yields a rough minimum estimate of 800 pairs of clapper rails residing in the two saltmarshes. Massey and Zembel accomplished this field work on their own time and initiative.

On December 1, 1981, the Boise Area Office hosted a meeting of the Northern Rocky Mountain Wolf Recovery Team members, wolf researchers, and representatives of Idaho sheep and cattle associations. The meeting provided an informal means of keeping livestock managers up-to-date on the wolf situation in Idaho, and of allowing livestock representatives to ask questions and express their concerns about wolves and wolf recovery plans.

A population of more than 5,000 plants of *Euphorbia skottsbergii* var. *kalaioana* was recently discovered on the Naval Air Station at Barbers Point, Oahu, Hawaii. The discovery occurred during a Corps of Engineers contracted census of the taxon. Prior to the survey, it was believed that the total number of the species was approximately 1,000, one sixth of the now known population. The plant was proposed for listing as Endangered in the September 2, 1980, *Federal Register*.

Endangered species teams from Boise and Billings met in Jackson, Wyoming, with people interested in bald eagles of the Yellowstone Ecosystem. At this meeting the Yellowstone Ecosystem Bald Eagle Working Group was formed.

Region 2—Jack Woody and David Bowman attended the annual Kemp's Ridley Sea Turtle Project review at the Gladys Porter Zoo in Brownsville, Texas. Representatives from the National Marine Fisheries Service, National Park Service, Texas Parks and Wildlife Department, and Instituto Nacional de Pesca of Mexico also attended. Events and progress to date were reviewed and tentative plans for the coming season were made.

Economic and biological data for the possible listing of the bluntnosed shiner (*Notropis simus*) and the Little Colorado River spinedace (*Lepidomeda vittata*) is being gathered by the region. Letters of inquiry are being sent to State game and fish departments, irrigation districts, clearing houses, and Federal agencies possibly having projects in Arizona and New Mexico, the States where the two species are found.

Region 5—A technical draft of the Chittenango Ovate Amber Snail (*Succinea chittenangoensis*) Recovery Plan was completed by New York State biologist Patricia Riexinger and submitted to the regional office on New Year's eve.

Bald eagle shooting losses were up sharply in Maine in 1981. An intense public education effort is being planned

Endangered Species Program regional staffers have reported the following activities for the month of December:

Region 1—Surveys of light-footed clapper rails (*Rallus longirostris levipes*) in Baja California, Mexico, were

begun during the summer of 1981. Barbara Massey and Dick Zembel censused (using vocalization mapping during evenings) one-fourth of the suitable habitat at El Estero, Ensenada, and heard 68 pairs of rails. In less than one-fifth of the saltmarsh at Bahia de San

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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. **Region 7:** 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.

jointly by State and Federal governments and the University of Maine, Orono. The effort will include some television spots about the eagle's plight.

Special recognition is given to the Nature Conservancy (TNC) because of their efforts to protect several unlisted candidate species. *Isotria medeoloides* (small whorled pogonia) and *Eupatorium leucolepia* (white bracted-boneset) are two examples of plants that now have more secure habitat (in New Jersey and Massachusetts, respectively) because of TNC's untiring efforts.

Region 6—The Peregrine Fund at Fort Collins, Colorado, hatched 73 American peregrin falcons (*Falco peregrinus anatum*) eggs in 1981. This resulted in the attempted release of 59 young at 16 sites in Colorado, Utah Wyoming and Montana. At least 49 of the birds were alive after they had been flying for about one month. Predation by golden eagles (*Aquila chrysaetos*) and great horned owls (*Bubo virginianus*) was the major cause of the loss of released birds.

At least 11 peregrines released in previous years returned to release sites. Of these, two adult/subadult pairs were seen in Colorado. The released birds are not known to have produced any young.

EARLY HEARINGS

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olate preserve, which would forbid or curtail all human activities in the designated area. Because of this misperception, there has often been strong resistance to Critical Habitat designations by local residents and commercial interests." In response to this concern, Congress in 1978 required that an analysis be performed prior to the establishment of Critical Habitat to determine the economic impact of the designation. Jantzen summarized the situation saying, "As a result of public resistance and the analysis requirements of the 1978 amendments, Critical Habitat designation has added significantly to the complexity of the listing process. Some commentators feel that due to these problems, Critical Habitat should be eliminated, while others feel that it should be retained."

William H. Stevenson, Deputy Assistant Administrator for Fisheries (NMFS), testified on behalf of the Department of Commerce regarding NMFS's activities conducted under the Act. Stevenson summarized his testimony by stating, "I believe that the Endangered Species Act has worked well with respect to marine species. Although some issues remain, generally we expect to resolve them administratively."

In addition to testimony from Federal agencies, Senator John H. Chafee

(R-RI), subcommittee chairman, and Senator George J. Mitchell (D-ME) received testimony from 14 other witnesses representing State governments, private industry, conservation groups, and academia.

Allegations That Act Causes Conflict

Testimony from groups representing interests in the Western States, in particular, portrayed the Act as a source of conflict and as having critical flaws. The Western States Water Council, an organization of representatives appointed by the Governors of 12 Western States, and the Western Regional Council, a group said to represent the business community of the Intermountain States, expressed particular difficulty with implementation of Section 7 of the Act. These groups complained of added costs incurred by developers when projects were held up by the consultation process, of ill-defined consultation steps, and of lack of consideration given to the "action agency's" primary purpose. Both groups also expressed concerns over what they regard as a secondary position traditional State water rights seem to be taking to the Fish and Wildlife Service in the Service's Section 7 biological opinions. The Water Council recommended that Section 2 of the Act be made more flexible—that it be amended to state that "the conservation of endangered species should not be automatically undertaken at all costs, but should be considered in concert with other national goals." In particular, they recommend that the Act be amended to expressly state that it will not be used to allocate water, but that such allocations will be accomplished under State laws.

Counter Testimony

The above position of the Western States groups was countered by the testimony of 20 conservation groups. The Environmental Defense Fund (EDF), National Audubon Society, National Wildlife Federation, and Society for Animal Protective Legislation presented testimony at the hearings; EDF and Audubon represented a coalition of 18 conservation organizations.

The National Audubon Society stated in its testimony that over a 3-year period during which the Fish and Wildlife Service conducted 9,673 consultations with Federal agencies on proposed actions, only 154 of them (1.6%) were found to potentially jeopardize. (Almost all of the 154 jeopardy opinions were able to be resolved through the development of reasonable alternatives or through project modification.) The National Wildlife Federation testified that, in terms of specified time frames, the Section 7 consultation process was working well. The FWS averaged 78 days (2.6

months) per consultation, less than the 90 days allowed by law. The Federation testified that the preparation of a few opinions did exceed the 3-month period, but that was infrequent and usually occurred where an extension had been mutually agreed to by the Service and the consulting agency.

Mr. Kenneth Berlin, speaking for the National Audubon Society, countered the Western State's water rights issue. "The Endangered Species Act cannot stop the extinction of water dependent species if there is an inadequate flow of water available to them—there is no economic justification for such extinctions."

The conservation groups made an overall plea for continued strong endangered species legislation; however, they were critical of the 1978 and 1979 amendments to the Act, saying that they "took too much time to implement." Additionally, they expressed considerable dissatisfaction with the lack of actions completed under Section 4 (listings and Critical Habitat determinations) during 1981. They suggested that listing actions be based solely on biological data and that economic considerations, such as those called for by the 1978 amendments, be considered later, if needed, during consultations or exemption procedures.

Academia For Species Diversity

Three members of the National Academy of Sciences, Dr. Edward O. Wilson of Harvard University, Dr. Thomas Isner of Cornell University, and Dr. Peter Raven of the Missouri Botanical Garden, all gave strong testimony in support of the conservation of so called "lower life forms." Wilson called for a more comprehensive conservation ethic and an awareness of each species as a part of our natural heritage. Raven called the destruction of species for short-term economic gain a "radical position" and gave an example of recent research with the plant genus *Oenothera* which could hold a key to coronary disease cures. Isner reminded the subcommittee that 40% of our modern day drugs contain substances found in plants, and that there is no end to the potential for additional discoveries. Thus far, he pointed out, only 2% of known plants have been tested even partially for their chemical content. Commenting on the rate of species extinction, Isner stated that we could expect to lose one-fourth of the world's species over the next 20 years. Dr. Stephen Kellert of Yale University testified on the attitudes of Americans toward endangered species conservation.

During the hearings, numerous witnesses reiterated the warnings of Under-Secretary of State James L.

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Western Hemisphere Convention: International Framework for Wildlife Conservation

Part II in a series on the endangered species activities of the Service's International Affairs Office.

by Curtis Freese

More than 140 plants and animals on the United States List of Endangered and Threatened Species are found in the 31 nations of Latin America and the Caribbean. Many more vulnerable species are to be found on the endangered species lists that some of these countries have developed for themselves. To fulfill the Service's responsibilities as one of 17 parties to the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, the Western Hemisphere Program of the Service's International Affairs Office is cooperating in a variety of activities with countries throughout the Latin American and Caribbean region. Included are projects to assess the status of endangered species, work toward the recovery of endangered populations, curb the threats to additional populations and species, and enhance the capabilities of wildlife institutions in those countries.

Because of geographical proximity, the U.S. and the Latin American/Caribbean region have much in common with regard to their flora and fauna, the problems and threats that confront these resources, and the necessary conservation measures. There are, of course, many species, including endangered ones, whose geographic ranges encompass both the U.S. and countries of Latin America and the Caribbean. Certainly the most significant wildlife resources the U.S. shares with Latin America and the Caribbean, in terms of numbers, are the migratory animals. Migratory birds, constituting more than 330 species that move south every North American winter, are perhaps the most conspicuous. Other taxonomic groups, however, also are significantly represented among these shared migrants, including the Mexican free-tailed bat, monarch butterfly, endangered grey whale, and six species of marine turtles (all six listed by the U.S.).

Not so immediately obvious today are the numerous historical ties, established through biological evolution, that linked north to south. The taxonomic affinities from this linkage can be of tremendous importance for endangered species conservation, as exemplified by the role that the Andean condor is currently playing as a surrogate experimental animal in the recovery program

for the much more endangered California condor.

Identifying the Problems

The problems facing threatened and endangered species in Latin America and the Caribbean are essentially the same as those confronting North American wild animals and plants—loss of habitat, excessive exploitation of populations, and environmental contamination. Habitat destruction ranks at the top of the list. The habitat that is disappearing most rapidly, tropical forests, also houses a greater number of species, including those currently endangered, than any other habitat in the region. Estimates are that 60,000 to 100,000 square kilometers (an area somewhere between the sizes of West Virginia and Virginia) are being lost annually in the New World tropics due primarily to the spread of agriculture and logging. Given the fact that many tropical species have very small geographical distributions, it is evident that thousands of tropical forest-dwelling species will be lost by the end of the century if present trends continue. Other habitats, such as wetlands and natural grasslands, are also being lost or greatly altered at unknown rates.

International commerce for the pet trade, hobby collectors, and animal products (such as skins), has led to critically low population levels of several species of parrots, macaws, cats, crocodilians, orchids, cacti, bromeliads, and other species in Latin America and the Caribbean. At the same time, subsistence hunting has drastically reduced populations of animals such as the larger primates and iguanas; selective logging has also reduced trees such as the endangered Guatemalan fir.

For large areas of tropical America, the first order of business in evaluating endangered species problems has to be an inventory of existing species. Indeed, in the world's tropical forests, it is estimated that perhaps only one sixth of all species have even been scientifically described and named. Therefore, in countries such as Paraguay, there is a push to catalog native flora and fauna. At the request of the Paraguayan government, the Service is cooperating with Peace Corps volunteers to provide technical assistance in developing a biological inventory, and in establishing their first national museum of natural history. (The Service has completed architectural plans for the new museum, and construction is expected to begin during 1982.) Service scientists are



Inside a Peruvian tropical hardwood forest.

Photo by C. Freese

making periodic visits to carry out inventory expeditions with Paraguayan counterparts and students who receive hands-on experience and training in basic field inventory, taxonomy, and curatorial techniques. A new species of lizard and several new insects have already been discovered. Through the help of the Service in obtaining other sources of international support for the project, several of the Paraguayan biologists will be coming to the United States in 1982 for more advanced training.

Training Wildlife Professionals

Because of the severe shortage of personnel in Latin America and the Caribbean trained in wildland planning and wildlife management, training is a high priority in our cooperative programs. We have developed what we anticipate to be an annual course on the function and management of wildlife refuges for Latin American/Caribbean wildlife and wildland professionals. In 1981, six trainees from Guatemala, Costa Rica, Panama, the Dominican Republic, Ecuador, and Brazil visited 10 national wildlife refuges in the U.S. and other Service facilities during this one-month course. The National Wildlife Federation and the World Wildlife Fund-U.S. provided important financial and technical support in this training effort.

The Service also participates in wildland training efforts organized by the Wildland and Watershed Project of

the Tropical Agronomic Center for Research and Training, a Central American institution based in Costa Rica that provides assistance and coordination in conservation projects throughout the seven countries of Central America. By providing Spanish-speaking instructors and financial support, the Service has helped train more than 50 wildland managers from at least a dozen countries in the last 2 years.

Since destruction of habitat is the major threat to species survival in Latin America and the Caribbean, national wildlands programs are of high priority. These lands may be in the form of national parks, wildlife refuges, forest reserves, faunal production areas, or watershed reserves. The experience of the Service in managing the National Wildlife Refuge System is of considerable value to other countries that are establishing wildlands systems. For example, in response to a request from the Government of Costa Rica, the Service sent three specialists in refuge planning from Minnesota Valley NWR to that country to help them develop a master plan for their first national wildlife refuge, and to train Costa Ricans in planning techniques. This new refuge is habitat for the scarlet macaw, several iguanas, and the endangered Central American tapir, among other species. More than 85 species of migratory birds from the U.S. also have been sighted.

Another Service specialist responded to Peru's request for help in drafting a preliminary development plan for its

Pacaya-Samiria National Reserve in northern Amazonia. Some of the more notable species found there include the jaguar, ocelot, various parrots and macaws, at least three species of crocodilians, and ten species of primates.

Potential Economic Resources

As the interest in crocodilians in Latin America indicates, many countries view the consumptive use of animals and plants as a compatible and important tool in their conservation efforts. Perhaps the best known example is the vicuna in Peru. Vicuna populations in that country were at critically low levels only a few years ago, but an intensive conservation program has resulted in recovery to the point where controlled harvesting of the vicuna for its meat and valuable wool is again possible. This use, in turn, is important justification for the Peruvian government's continued conservation efforts.

New efforts are underway throughout the region to apply this concept of conservation through sustained yield, including the management of endangered species such as the Amazon River turtles for their eggs and meat, crocodiles for their skins and meat, marine turtles for their eggs, meat and other products, iguanas for their meat, and primates for biomedical research. For example, Ecuador is interested in establishing a research center to develop management technologies for the sustained yield harvest of Amazonian wildlife resources. The Service has provided technical expertise by helping to develop a proposal and plans for such a research station.

Recovery Program Research

Considerable joint research and management on endangered species has been conducted with Mexico's wildlife department, with some very notable successes. The masked bobwhite once occurred in southern Arizona, but up to a few years ago populations remained only in neighboring Mexico. Under the auspices of the U.S.-Mexico Joint Committee on Wildlife Conservation, a project was begun to capture some masked bobwhites in Mexico, transfer them to the Patuxent Wildlife Research Center for captive propagation, and then release them in rehabilitated, protected areas of their former range in Arizona. This objective has been accomplished, and the captive population at Patuxent is now supplying birds to Mexico for their own captive breeding and reintroduction program. The Mexican grey wolf, also once found in the southwestern U.S. but represented now in the wild by a small, diminishing population in northern Mexico, is the subject of a cooperative captive breeding project.

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Tropical deforestation is a big problem—loss of habitat and loss of species diversity.
Photo by C. Freese

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Buckley at the Strategy Conference on Biological Diversity, November 16, 1981. Buckley stated, "We are still too ignorant of ultimate consequences to understand in full the urgent need to protect even the most inconspicuous forms of life so that we do not diminish the rich variety of biological resources that continue to exist."

State Recommendations

The International Association for Fish and Wildlife Agencies (IAFWA), representing all the States, asked that Section 6 of the Act be amended to ensure at least minimum funding for State programs. (All funding for State programs has been eliminated from the fiscal year 1983 budget). Speaking for the IAFWA, Mr. William S. Huey reminded the subcommittee that a good Federal-State working relationship is essential to a successful endangered species program. (IAFWA was joined by the conservation groups in its request for sustained Section 6 funding.) Mr. Huey also made a recommendation to adopt language in the Act which would allow the States to introduce experimental populations of protected wildlife without "being penalized by Federal establishment of Critical Habitat and other protective features of the Act."

Justice Recommendations

Assistant Attorney General Carol E. Dinkins reported that during the 2-year existence of the Justice Department's Wildlife and Marine Resource Section, the lack of clarity in several sections of the Act has caused some interpretive confusion. She recommended for clarification: (1) the extent of permissible State regulation of Federally-listed species; (2) the meaning of "proper purposes" as it relates to exempted wildlife under the Act's "Grandfather Clause"—Section 9(b)(1), and (3) the necessity of "proving knowledge of violations" on the part of those possessing illegal wildlife under Section 9(a)(1)(D) and 9(c)(1).

Dinkins pointed out that, in contrast to the citizen suit provision in other environmental laws, Section 11(g) of the Act allows private parties to sue to enjoin any violation of the Act. (Most environmental laws generally limit enforcement rights to enjoin violations of specific statutory prohibitions.) Dinkins stated, "It (the Act) permits suits not only to enjoin the prohibitions of Section 7 and the consultation requirement of Section 7, but also to set aside regulatory actions taken under the Act." Speaking for EDF, Bean urged that this right of citizens to initiate lawsuits "against those

who violate or fail to enforce the Act" be preserved.

Bobcat Issue

Dinkins also warned that the November 1981 interpretation of Section 8(a) by the District of Columbia Court of Appeals may be contested. This interpretation held that the Federal government must have both a reliable estimate of State bobcat populations and information concerning the number to be killed in a particular season before allowing bobcat exportations, even though neither the Act nor the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) has specific export standards.

State fish and game agencies, represented by IAFWA, expressed great difficulty with the "no detriment" finding as interpreted by the Court of Appeals ruling which required population estimates for export of species listed on CITES appendices in addition to the bobcat (i.e. lynx and river otter). IAFWA recommended that the Act be amended to allow a determination by the State agency permitting the harvest of a State managed Appendix II species to constitute a "no detriment" finding under Article IV of CITES. IAFWA was supported in this recommendation by the Wildlife Legislative Fund of America and the Pet Indus-

try Joint Advisory Council. These parties joined in a second recommendation to amend Section 8 so that the United States would be mandated to take reservations under CITES procedures when substantial evidence indicates that domestic populations listed in the CITES appendices are not Endangered or Threatened. Stating a contrasting position, Christine Stevens cited the demise of the blue whale as a situation parallel to that of the bobcat and warned that "it is not easy to bring back a bobcat population once it has been too far depressed by trapping."

Comments of the Senator

Senator Chafee asked numerous questions during the 2 days of oversight hearings and gave strong support to the Endangered Species Act. When responding on the second day of hearings to the complaint that biological consultations and assessments took valuable time and considerable amounts of money, Senator Chafee responded: "Yes, there are delays. But endangered species are finite—when they are gone, that's the end. Sometimes there might be dollar costs; the balance works two ways. We must weigh conservation against costs If we err, we must err on the side of attempting to preserve species."

Florida Panther Recovery Plan Approved

On December 16, 1981, the Service's Director approved a recovery plan for the Florida panther (*Felis concolor coryi*). The overall goal of the plan is to prevent the species' extinction and to reestablish viable populations in as much of its former range as feasible.

The present status of the Florida panther over most of its historical range is poorly known. The animal once ranged from eastern Texas east to Florida and as far north as Arkansas and parts of Tennessee and South Carolina. Today there is consistently documented evidence of the species continued presence only from the Fakahatchee Strand, Big Cypress National Preserve, and Collier-Seminole State Park areas. Other reports indicate that the panther may still exist in other parts of Florida and in portions of Arkansas and Louisiana.

The decline of the Florida panther probably began with the early settlers who attempted to destroy them at every opportunity because of livestock losses and fear of the animals. Although legally protected since 1958, illegal kills, highway mortality, and habitat loss probably continue to depress the population below potential carrying capacity.

Recovery Efforts

The basic factor limiting the conservation and management of the Florida panther is lack of information on the species' status and distribution. To remedy this situation, the plan recommends additional field investigations, as well as the establishment of a Florida Panther Record Clearinghouse in each State within the species' former range where all available data would be collected and reviewed. (The Florida Game and Fresh Water Fish Commission has already established a panther clearinghouse—see the July 1981 BULLETIN for more information.)

The plan further recommends that once existing populations are located and have been studied to determine habitat requirements, habitat necessary to maintain these populations should be protected. Public education is established in the plan as an important follow-up task to gain public acceptance for the recovery efforts. Implementation of the plan will be initiated by the Service's Atlanta Regional Director and carried out through the Atlanta Regional Endangered Species Office.

Cactus Trade Meeting

by Michael Bender

A meeting to discuss the cactus trade, its impacts on wild populations, and potential conservation measures was held in Tucson, Arizona, December 7-9, 1981. Among those attending were representatives of Federal and State agencies, universities, private conservation groups, commercial cactus growers, and the Arizona-Sonora Desert Museum. The conference was sponsored by the Service's Albuquerque Regional Office, and was planned as the first in a series of meetings on the cactus trade.

One of the main purposes was to create a better understanding among all those involved in cactus trade and conservation of the various laws, international treaties, and regulations now in effect. Presentations on the varied protection offered cacti by the Endangered Species Act, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, and the recent amendments to the Lacey Act (see the December 1981 BULLETIN) were made by the Service. Explanations by State representatives of cactus laws and programs in Arizona, New Mexico, and Texas followed.

Discussions held near the end of the meeting focused on several points of

special concern. There was general agreement that the condition of many cacti populations in the wild continues to deteriorate despite existing programs, but it was also recognized that a much better data base is needed to facilitate regulatory decisions (especially those conservation measures required under the Act, the Western Hemisphere Convention, and CITES). Another topic of interest at the meeting was the possibility of devising a national cactus trade recovery plan, covering all native and foreign cacti subject to U.S. trade. Under the umbrella of such a recovery plan, common cactus problems such as research on artificial propagation to supply trade demand, enforcement, permits, salvage operations and rescue centers, and a variety of other areas could be coordinated as the trade supplement to individual species recovery plans.

Because enforcement of Federal and State cactus protection laws, already so difficult, is likely to be effected by further budgetary and personnel reductions, the participation of commercial growers in cactus conservation programs was seen as increasingly important. It was reemphasized that a major part of the cooperative effort is expected to be public education on the dangers to wild populations of collecting from the field, and the importance of buying cacti only of cultivated origin.

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ect for reestablishing them in parts of their former range.

Researching the effects of pesticides on peregrine falcons and other migratory birds will begin in 1982 through the U.S.-Mexico Joint Committee. Possible contamination is also creating concern in agricultural areas of Costa Rica, where the Service is cooperating with government and university scientists in analyzing the eggs of wading birds for pesticide residues. Costa Rican scientists are currently initiating a research program on the brown pelican, and have requested the Service's assistance in analyzing eggs of this species.

Cooperation with Peru has been extremely important in carrying out one of the phases of the recovery program for the California condor. With the assistance of the Peruvian government, the Service is studying captive-born Andean condors released into the wild along Peru's isolated northern coast. Scientists hope eventually to apply the knowledge and techniques to future captive-bred California condors.

The Service is also participating in important research and management efforts for marine turtles in Latin America (including programs on both coasts of Mexico), particularly recovery of the Kemp's ridley. Research is also being conducted on the Olive ridley turtle along the Pacific coast of Costa Rica.

Technical Information Exchange

One of the least costly, but important and effective ways that the Service cooperates with other countries in the hemisphere on endangered species conservation is through the exchange of technical information. Access to published material data is often difficult in Latin America and the Caribbean; therefore, our office regularly sends technical information in the form of research reports, bibliographies, books, and other publications to some 20 countries in the region. Additional information is provided upon request. In return, we receive information from these countries which is of value to our own researchers and managers.

International cooperation of the type described above will become increasingly important in the future as countries of the Western Hemisphere strive to effectively use their limited resources in conservation efforts for the wild animals and plants we share. Because of the Service's wealth of expertise in wildlife research and management, and because this expertise is increasingly recognized and sought by wildlife institutions in Latin America and the Caribbean, the Service has a critical role in furthering this international effort.

RULEMAKING ACTION

December 1981

INTERSTATE TRADE IN Kangaroo Imports Authorized

A final rule which authorized the importation for commercial purposes of hides and parts of the red kangaroo (*Megaleia rufa*), the eastern gray kangaroo (*Macropus giganteus*), and the western gray kangaroo (*Macropus fuliginosus*) was published by the Service on April 29, 1981. In a December 31, 1981, notice the Service has interpreted this action as also authorizing interstate com-

merce in parts and products of these three kangaroo species.

The prohibition against interstate commerce in the Endangered Species Act of 1973 [(50 CFR 17.40(a)] applies only to unlawfully imported kangaroo. Since importation of these three kangaroo species is now lawful, interstate trade in their parts and products is also lawful.

New Publications

"Endangered and Threatened Species of Illinois: Status and Distribution," was published in January 1981 by the Illinois Department of Conservation. The volume contains 189 pages plus six appendices, forming a comprehensive scientific guide to endangered species of Illinois. Limited copies are available for distribution to those having a particular interest in the State's flora and fauna. To request a copy, write to the Endangered Species Program Coordinator, Division of Wildlife Resources, Department of Conservation, 605 Stratton Building, 600 North Grand Avenue West, Springfield, Illinois 62702.

"The Behavioral Ecology of the Komodo Monitor" by Walter Auffenberg reports the findings of a 13-month field study of the ecology and behavior of *Varanus komodoensis* (listed as Endangered under the Act). The study was conducted between July 1969 and July 1971 in the Lesser Sunda Islands group, Republic of Indonesia. The report (406 pages) is available for \$45.00 from University Presses of Florida, 15 Northwest 15th Street, Gainesville Florida 32603.

Materials featured in the "New Publications" column are presented for information purposes only. The mention of non-Federal government publications does not imply concurrence with their contents or with the philosophies of the various publishers.

DEPARTMENT REVIEW

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by the States (14 responses). In most cases, State agencies disputed restrictions placed on international trade in certain U.S. species (notably bobcat, and river otter) or criticized the administration of the International Convention Advisory Commission (ICAC).

Other more general comments from the States included: (1) criticism of Federal involvement in areas of traditional

BOX SCORE OF SPECIES LISTINGS

Category	ENDANGERED			THREATENED			SPECIES ' TOTAL
	U.S. Only	U.S. & Foreign	Foreign Only	U.S. Only	U.S. & Foreign	Foreign Only	
Mammals	15	17	224	3	0	21	280
Birds	52	14	144	3	0	0	213
Raptors	7	6	55	8	4	0	80
Amphibians	5	0	8	3	0	0	16
Fishes	29	4	11	12	0	0	56
Snails	3	0	1	5	0	0	9
Clams	23	0	2	0	0	0	25
Crustaceans	1	0	0	0	0	0	1
Insects	7	0	0	4	2	0	13
Plants	51	2	0	7	1	2	63
TOTAL	193	43	445	45	7	23	756

* Separate populations of a species, listed both as Endangered and Threatened, are tallied twice. Species which are thus accounted for are the gray wolf, bald eagle, American alligator, green sea turtle, and Olive ridley sea turtle.

Number of species currently proposed: 11 animals
9 plants

Number of Critical Habitats listed: 50
Number of Recovery Teams appointed: 68
Number of Recovery Plans approved: 45
Number of Cooperative Agreements signed with States:
38 fish & wildlife
11 plants

December 31, 1981

State management authority; (2) the reinstatement and greater continuity of funding for the State grant-in-aid program under Section 6 of the Act; (3) the need for continued compliance by Federal agencies with Section 7 and the need for greater State involvement in the Section 7 consultation process; and (4) the inappropriateness of the present economic analysis procedure required by Section 4 in the listing process.

Federal agencies most frequently commented on consultation procedures under Section 7, suggesting various technical or substantial changes in the proposed Section 7 implementing regulations.

Most environmental and scientific organizations (11 responses) supported retention and effective implementation of the Act. Two scientific groups urged a relaxation of permit procedures as they apply to museum specimens. These

groups disputed the appropriateness of economic and other impact analysis as a prerequisite to species listings.

Eleven responses were received from industrial and development interest groups. The most frequent specific concern among this group was that species only be listed based on adequate documentation, and that the Act not be used to further political goals.

Comments from several members of the academic community expressed disagreement with the new Service priority system which directs effort to vertebrate species before the so called "lower life forms" (i.e. plants and invertebrates). One commentator questioned the basis upon which the Service is emphasizing recovery efforts over listing efforts.

A summary of the issues which surfaced during the review was printed in the January 13, 1982, *Federal Register*.

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VOL. VII No. 1

ENDANGERED SPECIES

Technical Bulletin

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



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