

ENDANGERED SPECIES

Technical Bulletin

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

Oklahoma Plant Proposed as Threatened

The long-haired phlox (*Phlox pilosa* var. *longipilosa*), a plant found only in Greer and Kiowa Counties, southwestern Oklahoma, has been proposed by the Service for listing as a Threatened species (F.R. 8/29/83). Habitat loss from quarrying, overgrazing, development, and recreation is the primary threat to the remaining populations.

Phlox pilosa var. *longipilosa* is a perennial, 30-45 centimeters tall, with small, usually opposite linear leaves. It takes its common name from the long, pointed hairs that densely cover the inflorescence, stems, and calyx. The flowers are tubular and rose-purple in color, and there are many flower clusters per stem. Taking of the plant for cultivation as an ornamental could be a potential threat to the species.

This plant is a member of the mid-grass prairie ecosystem, and is restricted to a very small range within the Quartz Mountains, a western extension of the Wichita Mountains in southwestern Oklahoma. Extensive surveys conducted in 1981 by Drs. R.J. and C.E. Taylor have not discovered any populations other than those in Quartz Mountain State Park and a few to the north and west, ranging in size from 5-150 plants. In the eastern section of the park, which has been developed for recreation, grass mowing has damaged that area's *Phlox* population. Some of the populations on

private lands outside the park are jeopardized by quarrying and overgrazing.

Effects of the Rule if Approved

If the rule is approved as published, *Phlox pilosa* var. *longipilosa* will gain the protection authorized for a Threatened species by the Endangered Species Act. Under Section 7 of the Act, Federal agencies will be required to insure that any actions they fund, authorize, or carry out are not likely to jeopardize the continued existence of the species by directly affecting the plants or by adversely modifying the habitat. A formal designation of Critical Habitat was not proposed since publication of the precise locations of the remaining populations in the *Federal Register*, as required by such a designation, would make the attractive plant more vulnerable to collection; nevertheless, the plant and its habitat will receive protection under Section 7. In the interim, since the plant has been proposed for listing, Federal agencies are required under the Act to informally confer with the Department of the Interior on any action that is likely to jeopardize the species.

All trade prohibitions in 50 CFR 17.71 would apply to *Phlox pilosa* var. *longipilosa*, except for an exemption on seeds from cultivation. Import, export, and

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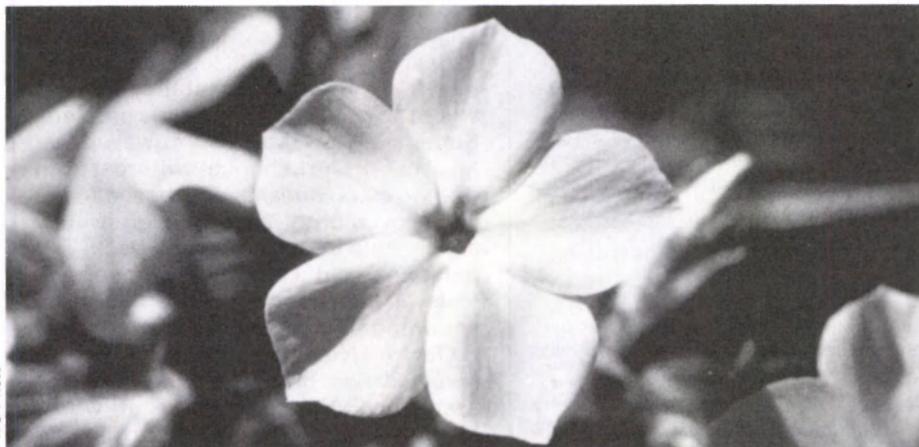
Changes Proposed in Listing Procedures

Proposed changes in the procedures to list species as Endangered or Threatened and to designate their Critical Habitat have been published jointly by the Fish and Wildlife Service (Department of the Interior) and National Marine Fisheries Service (Department of Commerce) in the *Federal Register* (F.R. 8/8/83). The proposal would amend Federal regulations (50 CFR 424) to comply with the Endangered Species Act Amendments of 1982.

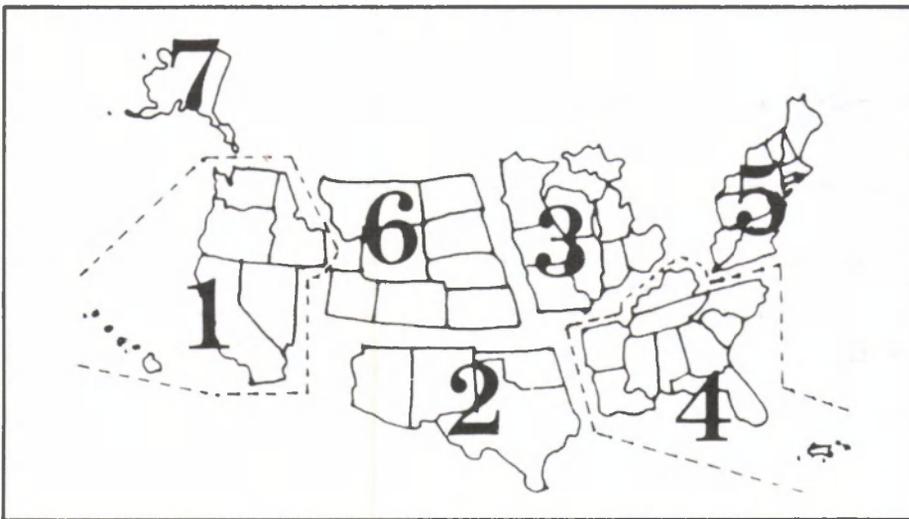
Most of the changes are intended to streamline the listing process. Only scientific information is to be considered during listing decisions, and non-biological factors are not allowed to affect such decisions. After a petition to list, reclassify, or delist a species is received, the Secretary of the Interior (or Commerce, where applicable) must act "to the maximum extent practicable" within 90 days to determine whether or not it contains substantial information that the petitioned action may be warranted. Within a year of receiving a "substantial" petition, the Secretary must publish a proposed rule, a notice that the petitioned action is not warranted, or a notice that the action is warranted but that other listing actions preclude the preparation of a proposal within the specified period. An extension of one year is allowed, but only if the Secretary can demonstrate progress on other listings. Final action on listing or Critical Habitat must now be taken within one year of the proposal, instead of 2 years as previously required. A 6-month extension may be granted if there is substantial disagreement among specialists on the biological data. Extensions are not permissible to allow additional economic or other analyses relating to Critical Habitat designations.

The 1982 Amendments restate the general requirement of concurrent listing and Critical Habitat designations, but authorize listing without the latter in certain circumstances. If a Critical Habitat designation is found "not prudent,"

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The main threats to the long-haired phlox are quarrying, grazing, and other forms of habitat disturbance.



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

Region 1—California least tern (*Sterna antillarum brownii*) activity at Seal Beach National Wildlife Refuge (NWR) increased in late June and July, but

remained lower than in the past few years.

Two chicks are known to have fledged, exceeding last year's production of one fledgling. By July 21, however, a check revealed no activity on NASA Island. No birds were using the island and no nests

were found. Since the nesting at all other sites is rapidly terminating, it is doubtful that any additional California least tern activity will occur on NASA this season.

Idaho and Nevada agents participated in the first interagency grizzly bear (*Ursus arctos horribilis*) patrols in the Yellowstone ecosystem. Horse patrols with Wyoming Game and Fish Department wardens located three illegal bear-bait sites; two were located in Idaho and one barely into Wyoming. This illegal activity occurred in one of the areas most critical to the grizzly bear.

At a July 9 meeting, the California Condor Recovery Team decided to reiterate its support for the proposed acquisition of the Hudson Ranch, which is being considered for special appropriation by key congressional committees. The 11,500-acre cattle ranch is located in the southern San Joaquin foothill area, and is the most heavily used California condor (*Gymnogyps californianus*) foraging area. Virtually every condor gathers here in late summer and early fall. This may be of considerable significance since food is available in other parts of the condor range at the same time, yet they seem to gather in this one area annually. The ranch has been proposed for subdivision into small "ranchettes," which would make the area unsuitable for condors. Undivided, the ranch could make an ideal location for reintroductions of captive-reared condors.

At the same meeting, the team agreed to encourage the Service and the California Fish and Game Commission to allow the removal of two 1983 nestlings from the wild for captive breeding and to ensure egg laying by the parents of these two chicks in 1984. (See the condor story in this BULLETIN.)

Cui-ui (*Chasmistes cujus*) recovery efforts continued to be impeded by problems in the Pyramid Lake Fishway. Last winter, fishery biologists with the Service's Great Basin Complex, along with engineering personnel from the Service's Portland Regional Office, designed and installed a fish ladder that they thought would solve the cui-ui passage problem. Superficial tests indicated, however, that most cui-ui and Lahontan cutthroat trout (*Salmo clarki henshawi*) exposed to the ladder would not pass through it; they simply held in position or fell back. The personnel did not conduct extensive tests of the ladder because the cui-ui spawning run already had started.

Our analyses of this ladder design revealed two problems. The first was associated with cutthroat trout, which did not seem to want to use the opening near the bottom of the ladder, but instead

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RULEMAKING ACTIONS

Amargosa Vole Proposed as Threatened

The Amargosa vole (*Microtus californicus scirpensis*), a small mammal currently found only in a few isolated marshes in Inyo County, California, has been proposed by the Service for listing as an Endangered species (F.R. 8/29/83). Human alteration of fragile desert wetland habitat, along with burning and overgrazing, have eliminated the vole from portions of its limited range. Not long after its discovery in 1900, the vole became so rare that it was thought to be extinct, but it was rediscovered several years ago.

The historic range of the Amargosa vole is probably the most restricted of any of the 17 currently recognized subspecies of *M. californicus*, the widespread California vole. It has been recorded only from small marshes scattered along the Amargosa River in southeastern Inyo and northeastern San Bernardino Counties, California. The marsh vegetation provides cover for escape from predators and serves as a food source. Marshes inhabited by the Amargosa vole are dominated by the bulrush (*Scirpus olneyi*) and have some open water nearby. Such habitat characteristics are limited in this arid region to the vicinity of springs or those portions of the Amargosa River with permanent flow. Throughout most of its course, the river is dry.

In the Amargosa Desert, most human development is concentrated in the few areas near permanent water sources, resulting in considerable modification of marsh habitat. For example, diversion and channelization of the spring at the town of Shoshone for construction of a swimming pool extirpated the Amargosa vole from its type locality. The development of Tecopa Hot Springs for mineral baths and the spread of mobile home courts have greatly modified and even destroyed vole habitat in that area. Such factors contributed to the extinction of another endemic species, the Tecopa pupfish (see the February 1982 BULLETIN).

Effects of the Proposal if Approved

If the proposal is adopted as published, the Amargosa vole will be listed as an Endangered species and will benefit from the conservation measures authorized under the Endangered Species Act. Taking, possessing, or engaging in interstate or international trafficking of the Amargosa vole would be among the prohibitions in 50 CFR 17.21. Permits for otherwise prohibited activities could be issued, under 50 CFR 17.22 and 17.23, for certain scientific, conservation, or economic hardship purposes. The Amargosa vole already is listed by the State of California as an endangered species, a

status which protects the animal but not its habitat.

Under Section 7 of the Act, Federal agencies would be required to ensure that any activities they fund, authorize, or carry out are not likely to jeopardize the continued existence of the Amargosa vole or adversely modify its Critical Habitat. The Critical Habitat proposed for the vole consists of marshes, together with associated land and water areas, along the Amargosa River from just north of Tecopa Hot Springs to the Amargosa Canyon (just south of the nearby town of Tecopa). A designation of Critical Habitat does not necessarily prohibit any particular activity. Rather, it means that Federal agencies must consult with the Fish and Wildlife Service so that jeopardy, if any, to the species can be avoided. Until a final decision on the listing proposal is made, such agencies are required to confer with the Service.

Public Comment Requested

Comments on the proposed rule are requested from all interested agencies, organizations, and individuals, and are due to the Regional Director, U.S. Fish and Wildlife Service, Lloyd 500 Building, Suite 1692, 500 Northeast Multnomah Street, Portland, Oregon 97232 by October 28, 1983. Requests for a public hearing are due by October 13.

Two Ash Meadows Fishes Listed in Final as Endangered

Two desert fishes endemic to the unique and diverse ecosystem of Ash Meadows, Nevada, have been listed as Endangered species (F.R. 9/2/83). The Ash Meadows speckled dace (*Rhinichthys osculus nevadensis*) and Ash Meadows Amargosa pupfish (*Cyprinodon nevadensis mionectes*) had been listed temporarily as Endangered since May 10, 1982, under two consecutive emergency listings. Imminent land development for housing subdivisions, clearing of land for road construction and agricultural purposes, pumping of groundwater, and diversion of surface flows threaten the species' fragile desert wetland habitat. (For more information on Ash Meadows, its endemic fauna and flora, and threats to the habitat, see the September 2, 1983, *Federal Register* notice or the feature in the June 1982 BULLETIN.)

Concurrent with the second emergency listing (January 5, 1983), the Ser-

vice proposed giving permanent protection to the two species and their habitat. Public hearings on the proposal were held in Las Vegas, Nevada, on February 11, and in Amargosa, Nevada, on May 26. Comments were received from 50 parties, including individuals, organizations, and government agencies, 37 of which were in favor of the action. The Nevada Department of Wildlife was one of the agencies that commented in support. No scientific evidence was submitted that the proposed final listing was not warranted.

Effects of the Listing Rule

Taking, possessing, and interstate/international trafficking in the two Endangered fishes are prohibited under 50 CFR 17.21. Certain exceptions apply to agents of the Service and State conservation agencies. Permits to carry out

otherwise prohibited activities may be granted, in certain circumstances, under 50 CFR 17.22 and 17.23.

This rule could subject the construction activities of the major development corporation in Ash Meadows to enforcement actions undertaken pursuant to Section 9 of the Endangered Species Act or to civil injunction should construction result in the taking of any of the listed fishes.

The habitat of the Endangered fishes will be further protected under Section 7 of the Act, which requires Federal agencies to ensure that any actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of the species or adversely modify their Critical Habitat. The designated Critical Habitat for the two newly listed fishes consists of about 200 acres distributed among a number of springs and their outflows.

Change in Status Proposed for Two Butterflies

The status of two tropical butterflies under the Endangered Species Act would be changed by a rule recently proposed by the Service (F.R. 8/29/83). One of these insects, the Bahama swallowtail (*Heraclides [=Papilio] andraemon bonhottei*), is now thought to be only an occasional migrant to south Florida from a more stable foreign population. Therefore, it has been proposed for delisting, which would remove it from the provisions of the Act. The Schaus swallowtail (*Heraclides [=Papilio] aristodemus ponceanus*), on the other hand, is a permanent resident of the U.S., and its numbers have declined to the point that the Service has proposed changing its legal status under the Act from Threatened to Endangered.

Background

Both butterflies occur in Dade and Monroe Counties, and are representatives of tropical species that reach their limits of distribution in southern Florida. They were listed in 1976 as Threatened species. A review of their status was initiated 5 years later, as required by the Act, and a notice to this effect was published in the February 27, 1981, *Federal Register*. The Florida Game and Fresh Water Fish Commission then carried out research, funded in part by Federal grants provided under Section 6 of the Act, on both butterflies. (The proposal to change the status of these butterflies is consistent with a petition filed with the Service on March 9, 1983, by the Florida Game and Fresh Water Fish Commission.)

According to the data gathered during this study, the Bahama swallowtail butterfly is not a permanent resident of the U.S., and is not subspecifically distinct from the *Heraclides andraemon* found throughout the Bahamas. Although its habitat is vulnerable to development and hurricane damage, there is no informa-

tion indicating a threat to the butterfly throughout all or a significant portion of its range at this time. The Bahama segment of the population provides the species with insurance against the possibility of extinction.

Unfortunately, the Schaus swallowtail appears to be in a much worse condition. This butterfly originally occurred in Florida from the Miami area south through the keys as far as Lower Matecumbe Key, but the known current range has shrunk to Elliott and Old Rhodes Keys in Biscayne National Park (Dade County) and to north Key Largo (Monroe County).

Habitat loss was probably the main factor in the decline. Both the Schaus and Bahama swallowtail butterflies are restricted to tropical hardwood hammocks, the climax vegetation type of upland areas in the Florida Keys and parts of southern peninsular Florida. These hammocks are closely related floristically to those of the West Indies. As the only tropical upland plant community found in the continental U.S., they contain many plant species rare in Florida. In the keys, the hammocks are highly subject to development pressures since local, State, and Federal laws limit development in lowland (mangrove) areas. In addition, large amounts of insecticides mixed with diesel fuel are applied for mosquito control, and these chemicals could adversely affect the Schaus swallowtail. Not only is the butterfly's habitat growing more vulnerable to human activities but, as its range becomes more limited and fragmented, the chance increases that a single hurricane could destroy the remaining population. Overcollecting is another potential threat.

Effects of the Proposal If Approved

If the proposed rule is approved as published, the conservation measures and prohibitions authorized under the Endangered Species Act of 1973, as amended, would no longer apply for the Bahama swallowtail butterfly. This Federal rule change would not affect the protection given both the Bahama and Schaus swallowtail by the State of Florida, which prohibits taking, possessing, selling, or transporting these species except by permit.

Whether or not the Schaus swallowtail is reclassified to Endangered, the existing prohibitions on taking and interstate/international trafficking will remain in effect for this butterfly. Habitat protection under Section 7 will also continue for the Schaus swallowtail, even though designating Critical Habitat was not deemed prudent because publicizing the

location could make the species more vulnerable to illegal collecting.

The primary benefit to the butterfly of a reclassification would be the possibility of giving increased emphasis to its recovery needs under the Service's recovery priority system. A change to Endangered would also more accurately reflect its current biological status, increase public awareness of its plight, and preclude any potentially adverse effects from overcollecting.

Public Comment Requested

Comments on the proposed rule are requested from all interested agencies, organizations, and individuals, and are due to the Endangered Species Field Supervisor, U.S. Fish and Wildlife Service, 2747 Art Museum Drive, Jacksonville, Florida 32207 by October 28, 1983. Public hearing requests must be received by October 13.

Habitat Description Notice on Green Pitcher Plant

To satisfy the terms of a settlement reached in litigation over the listing of the green pitcher plant (*Sarracenia oreophila*) as Endangered, and to help alleviate public concern about the effects of the listing, the Service has published a notice further describing the habitat of this plant (F.R. 8/12/83). This is an informational notice only and does not designate Critical Habitat as defined in Section 4 of the Endangered Species Act.

The green pitcher plant is a carnivorous plant occurring in a number of small sites in Alabama and Georgia. Due to habitat loss and overcollection, it was listed on September 21, 1979, as an Endangered species (see the October 1979 BULLETIN). In September 1980, a lawsuit was filed against the Secretary of the Interior and the Director of the U.S. Fish and Wildlife Service alleging that the listing was invalid on procedural grounds. The Department maintained that the listing complied with all applicable statutory and regulatory requirements. In November 1981, both parties and the court agreed to a stay of the suit for one year, during which time a recovery plan for the species was developed and settlement negotiations occurred. A settlement was reached in May 1983, and one of the stipulations required the Service to further describe for the public the general geographic location, habitat, and distribution of the green pitcher

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Photo by George Krizek

The Schaus swallowtail butterfly population in the United States continues to decline due to the loss of habitat and other threats.

Minnesota Wolf Regulations Amended

The Federal regulations governing management of the gray wolf (*Canis lupus*) in Minnesota, a species which is classified as Threatened in that State, have been amended (F.R. 8/10/83). This revision will allow a limited, controlled taking of wolves by the public, as well as by designated Federal and State agents. The Fish and Wildlife Service's current wolf depredation control program also will be modified. Sales of tagged Minnesota wolf parts will be permitted in interstate and international commerce. Wolf densities in the affected management zones within Minnesota will be maintained at or above the levels recommended in the Eastern Timber Wolf Recovery Plan.

In response to comments on the proposed rule, as published in the July 14, 1982, *Federal Register*, several changes were made in the final rule. Until a stable wolf population is established in Wisconsin, wolves may not be taken, other than in direct response to depredation, in the areas of Minnesota from where wolves are beginning to colonize northern Wisconsin, unless depredation in those areas becomes chronic. The regulations also have been modified to make it clear that they do not authorize trade in living wolves. Further, the effective date of the final rule will be delayed for 60 days from the publication date, during which time the Service will seek modification of the order entered by the United States District Court for the District of Minnesota in *Fund for Animals v. Andrus*, Civil No. 5-78-66 (decided July 25, 1978; supplementary decision filed August 31, 1978).

Background

At one time, the gray wolf was present in nearly all of the conterminous 48 States, as well as in Alaska, Canada, and Mexico, but habitat destruction and persecution as a predator radically reduced the species' range and numbers. Today, the gray wolves in northern Minnesota comprise the last significant population of the species south of Canada. This population has been relatively stable since about 1918, due in part to the fact that the numbers are, to some extent, self-regulating. Another contributing factor to the species' stability—perhaps the principal factor—is the continued relatively undeveloped nature of the wolf's primary habitat in northern Minnesota. At present, biologists estimate that there are 1200 or more wolves in Minnesota.

To assist in conserving this last population, the gray wolf in Minnesota was originally listed (under the name Eastern timber wolf, *C. l. lycaon*) as Endan-

gered in 1967. Eleven years later, the Eastern Timber Wolf Recovery Team described the steps it believed necessary to restore the wolf to the point where it would no longer require special protection under the Endangered Species Act. In recognition of the fact that the species faced different problems in different areas of Minnesota, the approved recovery plan contained a suggestion that the State be divided into five zones and that the wolves be managed at prescribed densities. As part of an overall management system, the team recommended "a combination of protection and regulated taking, so as to minimize depredation on livestock, illegal killing of wolves, and vilification of the species. . . ." The team's recommendations were accepted in principle, but the Service implemented a depredation control effort that would operate in response to specific complaints rather than to establish a regulated taking program. This approach was reflected in the 1978 regulations that reclassified the wolf in Minnesota as a Threatened species.

The Service now has modified the previous taking prohibitions, bringing them in closer conformance with the recovery team's recommendations by permitting the State of Minnesota to authorize controlled taking of wolves by the public and/or designated wildlife managers, primarily in areas where depredations have been recurrent and have not been dealt with adequately by the former depredation control system. This authorization provides that wolf densities will be maintained at or above the levels determined by the plan as "optimum." In 1982, the State of Minnesota agreed to adopt the recovery team's wolf density figures as its minimum acceptable level. Equally significant and essential was the State's agreement to work under the limits and safeguards of the Service's depredation control program. The current control system will be amended to authorize designated State and Federal agents to kill any wolf caught within one-half mile of a farm upon which confirmed wolf depredations have taken place. Wolves of all age classes, including pups-of-the-year, that are captured in traps may be killed.

In response to the July 14, 1982, proposed rule change, the Service received and considered 1,437 letters (as of October 4, 1982). Of that number, 1,398 opposed the rule. The Service also received two petitions: one containing 3,873 signatures in opposition to the proposal, and the other 231 in favor of it. At a public hearing in Minneapolis, 15 persons testified, most of them in opposition. However, at the public hearing at

International Falls (northern Minnesota), 35 testified, most of them in favor of the proposal. The most extensive and detailed comments were those submitted on behalf of 10 organizations that are opposed to the rule. A summary of these comments and the Service's responses can be found in the final rule.

The U.S. District Court in Minnesota issued an injunction in 1978 in the *Fund for Animals v. Andrus* litigation that modified the 1978 rule reclassifying the wolf in Minnesota as Threatened. To ensure that no conflict will occur with the 1978 court ruling, the Service will approach the court and move to modify the injunction. The Service has delayed the effective date of the revised rule for 60 days after the publication date so that the court has an opportunity to rule on the Service's motion.

Oklahoma Plant

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interstate trafficking in the plant would be illegal for persons under U.S. jurisdiction. Permits to carry out otherwise prohibited activities, under certain circumstances, are provided for in 50 CFR 17.72.

Section 9(a)(2)(B) of the Act, as amended in 1982, makes it illegal to remove and reduce to possession Endangered plants from areas under Federal jurisdiction, and regulations extending this protection to Threatened plants have been proposed. (Again, permits for certain exceptions are possible.) Although *Phlox pilosa* var. *longipilosa* is not now known to occur on Federal lands, herbarium specimens were collected in 1937 from Wichita Mountains National Wildlife Refuge to the east in Comanche County. If populations should be found on the refuge, all of the above prohibitions would apply. Further, since the refuge apparently is within the species' historic range, it could be a site for future reintroduction as part of an approved recovery plan. Such plants also would be protected.

Public Comment Requested

Comments on the proposed rule to list *Phlox pilosa* var. *longipilosa* as a Threatened species are requested from all interested agencies, organizations, and individuals. These comments must be received by the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103 by October 28, 1983. Requests for a public hearing on the proposal are due by October 13.

Regional Briefs

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to jump over the weir. The second problem involved the cui-ui. The bottom opening created turbulence that eliminated rest space essential to the cui-ui while moving through the ladder. We plan to modify the ladder this fall to eliminate these problems.

Great Basin Complex personnel continued field activities associated with the cui-ui life history study. Since early June, they have systematically fished the Pyramid Lake Fishway with plankton nets for young cui-ui. The young cui-ui first appeared in the fishway in early June. Movement of these fish to Pyramid Lake continued through the month of July. Most fish captured were produced in the downstream end of each fishway ladder. The fishway will remain open until the majority of young cui-ui have moved to Pyramid Lake.

Another field activity associated with the cui-ui life history study this month was the securing of substrate samples from known cui-ui spawning areas. These samples are currently being analyzed for relative particle size composition.

The Ash Meadows Amargosa pupfish (*Cyprinodon nevadensis mionectes*) and Ash Meadows speckled dace (*Rhinichthys osculus nevadensis*) populations, which are found in several springpools in Ash Meadows, were estimated during a cooperative effort between the Great Basin Complex and the Nevada Department of Wildlife. The results give valuable indications of the relative population size associated with each spring.

Region 2—A proposal prepared by the Arizona Game and Fish Department (AGFD) to initiate studies on the Sonoran pronghorn (*Antilocapra americana sonoriensis*) has been approved. The study will be conducted by the AGFD, with additional funding coming from the Service, Luke Air Force Base, and Shikar Safari. Work should begin in September 1983, with the first attempt to capture and radio-collar animals expected to take place in late November 1983.

An 8-month old female ocelot (*Felis pardalis*), was captured and radio-collared on Laguna Atascosa NWR, in extreme southeastern Texas. The presence of the kitten was determined last December when it was observed that one of the recaptured adult female ocelots was lactating. Researchers conducting the project had been waiting for the kitten to obtain sufficient size to be radio-collared. It was captured on the first attempt and weighed in at 11.5 pounds. The ocelot study being con-

ducted in south Texas will continue through 1984.

A Whooping Crane Recovery Team meeting was held in the Albuquerque Regional Office in August. The 1983 population looks very good. At least 24 mated pairs of whooping crane (*Grus americana*) were found in Wood Buffalo National Park (Canada), and this population produced 12 young. Twenty-eight whooping crane eggs were placed under foster sandhill crane (*Grus canadensis*) parents in the Gray's Lake NWR experimental flock (12 eggs from the Patuxent Wildlife Research Center, 16 eggs from Wood Buffalo National Park). It appears that we should have 18-19 chicks in the 1983 cohort. Eighteen of those chicks were banded and, of that number, 11 were also radioed. There are 12 sub-adult whoopers already in the Gray's Lake flock.

In conjunction with the U.S./Mexico Joint Agreement on Wildlife Conservation, call-count surveys conducted this summer in Sonora, Mexico, indicated that the last remaining wild population of masked bobwhite (*Colinus virginianus ridgwayi*) is apparently still viable at Rancho Grande. About 100 additional calling males were counted. Masked bobwhite populations are believed to fluctuate widely in response to variations in summer rainfall. Summer rains in central Sonora have been favorable both this summer and last, and may explain the apparent population increase.

Region 3—Regional and Washington Office endangered species personnel met recently with representatives of the U.S. Forest Service (USFS) to discuss mutual concerns about wildlife and endangered species. This was part of the USFS annual evaluation. . . The Regional staff also met with The Nature Conservancy to review data collection and relationships with State programs. . . Final regulations on wolf management in Minnesota were published (see story in this BULLETIN).

Region 4—In our December 1982 Regional Brief, we reported on a cave gate project at New Mammoth Cave, Campbell County, Tennessee. The gate was constructed to prevent human disturbance of hibernating Indiana bats (*Myotis sodalis*). The project was a cooperative effort involving the cave owner and volunteers who assisted in constructing the gate. Our Asheville, North Carolina, Endangered Species Field Station has recently completed the following analysis of the benefits of this project:

In 1962, New Mammoth Cave supported a hibernating Indiana bat population of 4,000 individuals. By 1982, however, the number had decreased to only 710. The Indiana bat is very sensitive to

human disturbance, and the tremendous decline in New Mammoth's bat population was linked directly to increasingly frequent human disturbance throughout the 1960s and 1970s. The draft Indiana Bat Recovery Plan recognized the significance of this cave to the recovery of the Indiana bat, and recommended that a gate be constructed at the cave to prohibit unauthorized human entry while permitting the bats unrestricted access.

In 1982, the Service entered into a cooperative agreement with the landowner (Dr. Charles Wilkens of Jellico, Tennessee) to protect this cave and the Endangered Indiana bats that hibernate there. During August 1982, the Service, with the assistance of several volunteer organizations, constructed a gate at the entrance to the cave. The volunteers supplied most of the construction equipment and labor needed for the project. More than 25 volunteers were involved over 2 days. Without the assistance of these volunteers, the gate would have cost the Service much more. Using a cooperative agreement with the landowner was by far the most cost-effective means of accomplishing the Service's objectives of protecting this colony of Endangered bats. For further information or input on this project, please contact Bob Currie at the Asheville Office (FTS 672-0321; commercial 704/258-2850 extension 382).

Region 5—Regional Director Howard Larsen recently signed a cooperative agreement with the Province of Manitoba, Canada, which will provide a minimum of six bald eaglets (*Haliaeetus leucocephalus*) during the next 3 years for translocation to the U.S. In turn, Manitoba will be able to conduct additional bald eagle surveys to ensure that the birds to be translocated will be taken from the most productive areas.

Region 6—The second meeting of the Interagency Grizzly Bear Committee (IGBC) was held in Denver on August 17, 1983. The agenda included a discussion on the membership and responsibilities of the various subcommittees and reports from the subcommittees on their activities. Attendees included regular IGBC members and subcommittee chairman, as well as several invitees. The next IGBC meeting is scheduled for November 8-9, 1983, in Denver.

The Service recently held workshops on black-footed ferret (*Mustela nigripes*) survey techniques in several areas throughout Region 6, including Moab, Utah; Grand Junction, Colorado; Dinosaur National Monument, Colorado; Wall, South Dakota; and Billings, Montana. The purpose of the workshops, which were attended by representatives from both State and Federal wildlife and land management agencies, was to educate field personnel on how to recognize

ferret sign and conduct ferret surveys. Max Schroeder of the Service's Denver Wildlife Research Center, Fort Collins, Colorado, conducted the workshops, which included classroom instruction on general ferret biology and ferret sign as well as an update on studies being conducted on the Meeteetse, Wyoming, population. Attendees also examined actual specimens, skulls, and pictures of ferrets or ferret sign, and were given instruction on conducting ferret surveys. The workshops were viewed as informative and invaluable by all of those who participated. Additional workshops are planned for Fiscal Year 1984.

On August 1, 1983, U.S. District Judge John L. Kane, Jr., upheld the U.S. Army Corps of Engineers' right to block construction of a dam on Wildcat Creek near Brush, Nebraska. The creek is a tributary of the South Platte River which provides important whooping crane habitat along 53 miles of the river from Grand Island to Kearney, Nebraska. The Riverside Irrigation District and the Public Service Company of Colorado had filed suit against both the Service and the Corps regarding the proposed Wildcat Reservoir when the Corps, after reviewing a Service study, denied a permit to build the dam. A biological opinion issued by the Service stated that the dam would likely jeopardize the continued existence of the whooping crane and adversely modify its Critical Habitat in Nebraska. By upholding the Corps' decision to

deny the permit, the judge ruled that such action was a proper exercise of Federal power in a manner required by Federal statutes.

The Nebraska Association of Resource Districts has placed a resolution on its 1983 conference agenda calling for the U.S. Department of the Interior to re-evaluate its designation of whooping crane Critical Habitat on the South Platte River to facilitate continued development of irrigated cropland in the State.

Region 7—Aleutian Canada goose (*Branta canadensis leucopareia*) recovery activities have been completed for the 1983 field season. Arctic fox (*Alopex lagopus*) control efforts in the eastern Aleutian Islands resulted in the virtual elimination of these introduced predators from 12,425-acre Amukta Island. If Amukta Island is fox-free, geese from nearby Chagulak Island may be able to pioneer there. In the western Aleutians, a survey was conducted on 68,598-acre Kiska Island. Kiska, an island targeted for reintroduction of Aleutian geese, has an estimated exotic fox population of 700. It is uncertain whether foxes can be removed from an island this size with the use of the chemical control agents currently available. A week-long effort on Buldir Island by Endangered Species and Aleutian Islands NWR staff members resulted in the capture of 108 geese (31 adults and 77 young). The geese were successfully transported to Agattu Island and released there. Confirmation of nesting on Agattu Island remains elusive

despite spring observations of several birds there in both 1982 and 1983.

Results of American and Arctic peregrine falcon surveys in Alaska are now available (*Falco peregrinus anatum* in interior Alaska and *F. p. tundrius* on the North slope). In interior Alaska, five areas were surveyed. The upper Yukon, the lower Yukon, the Tanana, Porcupine and Kuskokwim River study areas comprise approximately 1500 river miles. A total of 102 pairs of *F. p. anatum* were observed and, of these, 79 pairs produced 177 young. This compares with 1982 figures of 87 pairs, of which 63 pairs produced 159 young. On the North Slope of Alaska, the Colville and Sagavanirktok Rivers were surveyed—a total of approximately 300 river miles. Twenty-eight pairs of *F. p. tundrius* were observed and, of these, 21 pairs produced 65 young. This compares with 1982 figures of 32 pairs, of which 20 pairs produced 52 young. Eight adult falcons were trapped near eyries this year on the upper Yukon and Tanana Rivers. As in 1982, we observed an unusually high turnover rate (about 45 percent) of adults in the breeding population.

Four short-tailed albatrosses (*Diomedea albatrus*) were observed in Alaskan waters this summer. Once common throughout the north Pacific, these birds are now only rarely seen away from their breeding islands in Japan.

CITES News — August 1983

The Endangered Species Act of 1973, as amended in 1979, designates the Secretary of the Interior as both the Management Authority and the Scientific Authority of the United States, for the purposes of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Management Authority responsibilities are delegated to the Associate

Director—Federal Assistance; Scientific Authority responsibilities are delegated to the Associate Director—Research.

The Service's Wildlife Permit Office (WPO) functions as staff to the U.S. Management Authority for CITES, assuring that wildlife and plants are exported or imported in compliance with laws for their protection and issuing permits for legal trade of these

species. The Service's Office of the Scientific Authority (OSA) functions as staff to the U.S. Scientific Authority for CITES. OSA reviews applications to export and import species protected under CITES, reviews the status of wild animals and plants impacted by trade, makes certain findings concerning housing and care of protected specimens, and advises on trade controls.

Proposed Rule on CITES Appendix II Exports

A proposed rule on export of certain animals on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) for the 1983-1984 and subsequent seasons has been published by the Service (F.R. 8/18/83). It contains two significant changes for the species involved. The proposed rule is accompanied by an explanation of proposed

findings by the U.S. CITES Management and Scientific Authorities on export of the bobcat (*Lynx rufus*), lynx (*Lynx canadensis*), river otter (*Lutra canadensis*), American alligator (*Alligator mississippiensis*), and Alaskan populations of the gray wolf (*Canis lupus*) and brown or grizzly bear (*Ursus arctos*).

The first change is that, beginning this year, the Service intends to make export findings to span a period not limited to a single harvest season. Previously, such export findings were made each year on a State-by-State basis. The States from which each of the species would be approved for export are listed in the August 18 *Federal Register* notice.

Another change is the status of these species on Appendix II of CITES. As a

result of a 10-year review of the CITES appendices, the Service determined that the populations of the listed furbearers in the notice are now considered as listed on Appendix II "only because of similarity in appearance to other listed species, subspecies, or geographically separate populations." The 1983 Conference of the Parties in Botswana adopted a resolution accepting the report of the CITES Central Committee on the 10-year review, which includes recommendations that these populations of furbearers should be considered as listed on Appendix II only for this reason.

For the past 7 years, the U.S. Scientific Authority (SA) has reviewed information on population status, management, and

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Changes Proposed

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the listing can become final at any time within the required period. When data indicate that a prompt listing is essential for conservation of a species but that the analysis necessary to designate Critical Habitat has not been completed, the listing must be made final within the required period without the Critical Habitat designation; the Critical Habitat segment of the proposal should then be completed separately as soon as possible within an additional year.

Among other changes in the proposed rule are a consolidation of the requirements for public hearings and public meetings, and a requirement for written explanations of any rules adopted over the objections of a State or of any not adopted when petitioned by a State.

Public Comment Requested

Comments on the proposed rule are requested from all interested agencies, organizations, and individuals, and are due to the Associate Director—Federal Assistance, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (Attention: Listing Regulations) by October 7, 1983.

Pitcher Plant

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plant. (The Service previously had provided this information at a 1980 public meeting in Alabama.) It is hoped that the information contained in the notice will allay concern that the listing could affect economic growth and development in the region.

The green pitcher plant once occurred throughout the coastal plain and piedmont of Alabama and Georgia, as well as in central Tennessee. Currently, its known distribution consists of 18 sites in northeastern Alabama and one in northeastern Georgia, with a combined area

Category	ENDANGERED			THREATENED			SPECIES* TOTAL	SPECIES HAVING PLANS
	U.S. Only	U.S. & Foreign	Foreign Only	U.S. Only	U.S. & Foreign	Foreign Only		
Mammals	15	18	223	3	0	22	281	19
Birds	52	14	144	3	0	0	213	40
Reptiles	8	6	55	8	4	12	98	6
Amphibians	5	0	8	3	0	0	16	3
Fishes	29	2	11	12	0	0	56	23
Snails	3	0	1	5	0	0	9	5
Clams	23	0	2	0	0	0	25	1
Crustaceans	2	0	0	1	0	0	3	1
Insects	7	0	0	4	2	0	13	3
Plants	55	2	0	9	1	2	69	9
TOTAL	199	44	444	48	7	36	783	110**

* 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.

** More than one species may be covered by some plans.

Number of species currently proposed for listing: 21 animals
17 plants

Number of Critical Habitats determined: 55
Number of Recovery Plans approved: 99
Number of Cooperative Agreements signed with States: 38 fish & wildlife
11 plants

September 2, 1983

of less than five acres. A factor common to all of the sites is high soil moisture, which makes them generally less desirable or even unsuited for development or intensive agriculture. The general areas occupied by the plant are indicated in the *Federal Register* notice, but exact locations were not published due to the possibility of increased collection.

Cites News

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trade for these animals in every State where they are harvested. This accumulated information demonstrates that the species are not now potentially threat-

ened and that they could, in fact, be removed from Appendix II if it were not for the problems of similarity in appearance. The SA believes, therefore, that export will not be detrimental to the species taken in the States specified in the notice. Marking the pelts with tags bearing the name of the species and the issuance of export permits naming the species being traded would suffice to address problems of distinguishing among similar species. The SA will continue to monitor the status of the fur-bearers named in the August 18 notice.

Comments on the proposed rule and findings were accepted until September 19, 1983.

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ENDANGERED SPECIES

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