

TABLE 1.—INCIDENCE OF TRUMPETER SWAN HARVEST DURING SWAN SEASON IN THE PACIFIC FLYWAY—Continued

Year	Utah		Montana (PF) ¹		Montana (CF) ¹		Nevada	
	Swans examined	Trumpeters detected	Swans examined	Trumpeters detected	Swans examined	Trumpeters detected	Swans examined	Trumpeters detected
1995	244	3 (1 adult, 2 juveniles)	110	3 (juveniles)	22	0	66	0
1996	701	7 (4 adults, 3 juveniles) ²	181	3 (adults)	32	0	110	1 (juvenile)
1997	497	3 (2 adults, 1 juvenile)	217	1 (adult)	55	2 (1 adult, 1 juvenile)	116	0
1998	879	1 (juvenile)	168	3 (2 adults, 1 juvenile)	47	2 (adults)	156	0
1999	647	0	153	7 (4 adults, 3 juveniles)	50	2 (adults)	186	0
2000	454	1 (adult)	203	3 (2 adults, 1 juvenile)	57	0	65	0
2001	229	0	244	0	64	2 (1 adult, 1 juvenile)	51	0

¹ Most if not all of these swans likely are from the Interior Canada flock.

² In 1996, six of the seven trumpeters detected in Utah's harvest were swans marked and translocated from Idaho and released in Utah as part of a research proposal. The other swan was a marked swan that was translocated from Idaho to Oregon 2 years earlier.

Petition Finding

On the basis of the data in our files, we find that the Tri-State Area flock of trumpeter swans does not constitute a DPS in the meaning of the Act and, therefore, is not a listable entity. The available information does not demonstrate that the flock is discrete, because the proposed DPS is not markedly separated from other segments of trumpeter swans in North America and is not significant under the DPS policy. The petitioners assert that the largely nonmigratory behavior exhibited by this group of birds indicates that the segment is distinct from other flocks because it is physically separated by several hundred miles from other breeding populations. However, current banding and marking information, although limited in extent, indicates that there is some dispersal of swans from the Yellowstone Ecosystem to other parts of the RMP area and vice versa, and that pairings between Tri-State birds and Canadian birds can be expected to occur. All trumpeter swans in the RMP are sympatric during several months (approximate November to March) of the year. Pairing of trumpeter swans generally occurs during the fall and winter months (Johnsgard 1978, Gale *et al.* 1987). Thus, this mixing of birds in winter provides the opportunity for such pairings to occur. One interflock pairing has been documented (Gale *et al.* 1987). Current data do not provide evidence that the Tri-State Area

flock is genetically different than other trumpeter swan flocks, and no data suggest physical, physiological, ecological, or significant behavioral differences between the birds in the Yellowstone Ecosystem and the rest of North America.

The petitioners allege that the trumpeter swans in the lower 48 States are managed differently than the Canadian birds, but we find that essentially no differences in management exist, because both countries are party to the Migratory Bird Treaty, coordinate on planning and implementation of swan management goals, conduct similar management activities, and promote population growth of flocks. Both trumpeter and tundra swans are cooperatively managed by Canadian and United States Federal agencies, States, and Provinces through management plans developed specifically for these species.

In North America the species has increased from less than 4,000 birds in 1968 to nearly 24,000 birds in 2000, which represents an average annual population growth of 5.9 percent (Dubovsky and Cornely 2002). The RMP increased from approximately 800 birds in 1968 to more than 3,600 birds in 2000 (Caithamer 2001). This RMP average population growth rate was 4.8 percent per year. Therefore, we conclude that the trumpeter swan is not in need of additional protection beyond the current provisions of the MBTA.

References Cited

A complete list of References Cited is available from the Regional Office or our website (*see ADDRESSES*).

Author

The primary author of this document is Chuck Davis, Region 6 Endangered Species Listing Coordinator (*see ADDRESSES*).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: January 15, 2003.

Marshall P. Jones, Jr.,

Acting Director, U.S. Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability of a Draft Recovery Plan for the Rough Popcorn Flower (*Plagiobothrys hirtus*) for Review and Comment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce the availability for public review of a draft

recovery plan for the rough popcorn flower (*Plagiobothrys hirtus*). The draft recovery plan includes specific recovery criteria and measures to be taken in order to delist the rough popcorn flower. We solicit review and comment from local, State, and Federal agencies, and the public on this draft recovery plan.

DATES: Comments on the draft recovery plan must be received on or before March 31, 2003 to receive our consideration.

ADDRESSES: Copies of the draft recovery plan are available for inspection, by appointment, during normal business hours at the following location: Roseburg Field Office, 2900 NW Stewart Parkway, Roseburg, Oregon 97470 (phone: 541-957-3474). Requests for copies of the draft recovery plan, and written comments and materials regarding this plan should be addressed to Craig Tuss, Field Supervisor, at the above address.

FOR FURTHER INFORMATION CONTACT: Craig Tuss, Field Supervisor, at the above address.

SUPPLEMENTARY INFORMATION:

Background

Recovery of endangered or threatened animals and plants is a primary goal of our endangered species program and the Endangered Species Act (Act) (16 U.S.C. 1531 *et seq.*). A species is considered recovered when the species' ecosystem is restored and/or threats to the species are removed so that self-sustaining and self-regulating populations of the species can be supported as persistent members of native biotic communities. Recovery plans describe actions considered necessary for conservation of the species, establish recovery criteria for downlisting or delisting species, and estimate time and cost for implementing the measures needed for recovery.

The Act, requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act requires that public notice and an opportunity for public review and comment be provided during recovery plan development. We will consider all information presented during a public comment period prior to approval of this recovery plan. Substantive technical comments may result in changes to the plan. Substantive comments regarding recovery plan implementation will be forwarded to appropriate Federal or other entities for consideration during the implementation of recovery actions.

The rough popcorn flower was listed as endangered on January 25, 2000 and

is found only in the Umpqua River drainage in Douglas County, Oregon, at sites ranging from 102 to 232 meters (m) (330 to 750 feet) in elevation. Extant, naturally occurring populations of this species occur along the Sutherlin Creek drainage from Sutherlin to Wilbur, adjacent to Calapooya Creek west of Sutherlin, and in roadside ditches near Yoncalla Creek just north of Rice Hill. The northern site is near Yoncalla, and the southern at Wilbur. All known sites were east of Interstate Highway 5 (I-5), until 1998 when a site was discovered at the junction of Stearns Lane and Highway 138, 0.8 kilometers 0.5 miles west of I-5. The eastern site is east of Plat K Road outside of Sutherlin. Historic collections have been made farther east near Nonpareil, but recent surveys (1998 to 1999) did not locate any populations in that area.

The rough popcorn flower is a perennial herbaceous plant, but can be annual depending on environmental conditions. The species occurs in seasonal wetlands. The majority of sites occur on the Conser-type soil series which is characterized as poorly drained flood plain soils. Urban and agriculture development, invasion of non-native species, habitat fragmentation and degradation, and other human-caused disturbances have resulted in substantial losses of seasonal wetland habitat throughout the species' historic range. Conservation measures include establishing a network of protected populations in natural habitat distributed throughout its native range.

The draft recovery plan identifies three recovery zones. The recovery zones are geographically bounded areas containing extant rough popcorn flower populations that are the focus of recovery actions or tasks. The recovery zones include lands both essential and non-essential to the long-term conservation of the rough popcorn flower.

The overall objective of this draft recovery plan is to reduce the threats to the rough popcorn flower to the point it can be reclassified to threatened, with the ultimate goal of being removed from protection entirely. Under the draft recovery plan downlisting of the rough popcorn flower would be contingent upon the following criteria: (1) At least 9 reserves, containing a minimum of 5,000 plants each, are protected and managed to assure their long term survival; (2) a minimum of 1,000 m² are occupied by the rough popcorn flower within each reserve, with at least 100 m² having a density of 100 plants/m² or greater; (3) a minimum of 9 reserves are distributed among the 3 recovery zones (Calapooya Creek, Sutherlin Creek, and

Yoncalla Creek), with at least 3 reserves present in each zone; (4) patches within each reserve are within 1 kilometers (2½ miles) of each other to allow pollinator movement and gene flow among them; (5) averages of 5 years of demographic data that indicates populations in at least 7 of the 9 reserves within the 3 recovery zones have average population numbers that are stable or increasing, without decreasing trends lasting more than 2 years; (6) 75 percent or more of the plants are reproductive each year, with evidence of seed maturation and dispersal in all populations; (7) seed germination and seedling recruitment are occurring in all populations; and (8) each existing or reintroduced population is secure from the threats identified in the Reasons for Listing section.

Authority: The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: November 5, 2002.

Rowan W. Gould,

Regional Director, Region 1, U.S. Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT-070-03-1020-PG]

Notice of Public Meeting, Western Montana Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM), Western Montana Resource Advisory Council will meet as indicated below.

DATES: A meeting will be held March 13, 2003, at the BLM Missoula Field Office, 3255 Fort Missoula Road, Missoula, Montana beginning at 9 a.m. The public comment period will begin at 11:30 a.m. and the meeting will adjourn at approximately 3 p.m. A working meeting is planned for April 16 in Dillon, Montana to review the public input gathered during a series of workshops related to the Dillon RMP. The meeting will start at 9 a.m. and will be held at the Dillon Field Office, 1005 Selway Drive.