

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability of a Draft Updated Recovery Plan for the Northeastern Population of the Roseate Tern (*Sterna dougallii dougallii*) for Review and Comment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: The U.S. Fish and Wildlife Service announces the availability population of the roseate tern (*Sterna dougallii dougallii*). The roseate tern is a worldwide species that breeds in two discrete areas in the Western Hemisphere. One of those areas is the northeast where the species breeds on islands along the Atlantic Coast of the United States from New York to Maine and northward into adjacent portions of Canada. This population was listed as an endangered species in November 1987, and the initial recovery plan was completed in March 1989. This species was listed due to its rarity and population decline, which lead to a restricted breeding range with most roseates nesting on just a few islands. The primary threat to the roseate tern is considered to be loss of nesting sites and predation. Additional factors that can effect nesting productivity and overall population status include food availability near the colonies and storm events. The recovery objective is to reclassify the roseate tern to threatened status. The Service solicits review and comment from the public on this draft Plan update.

DATES: Comments on the draft Recovery Plan must be received May 1, 1998 to receive consideration by the Service.

ADDRESSES: Persons wishing to review the draft Recovery Plan can obtain a copy from the U.S. Fish and Wildlife Service, Northeast Region Endangered Species Program, 300 Westgate Center Drive, Hadley, Massachusetts 01035, telephone (413) 253-8628. Comments should be sent to Michael J. Bartlett, Field Supervisor, New England Field Office, 22 Bridge Street, Concord, New Hampshire 03301.

FOR FURTHER INFORMATION CONTACT: Michael Amaral (see above Address for New England Field Office, telephone 603/225-1411.)

SUPPLEMENTARY INFORMATION:**Background**

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a

primary goal of the U.S. Fish and Wildlife Service's endangered species program. To help guide the recovery effort, the Service is working to prepare Recovery Plans for most of the listed species native to the United States. Recovery Plans describe actions considered necessary for conservation of the species, establish criteria for the recovery levels for downlisting or delisting them, and estimate time and cost for implementing the recovery measures needed.

The Endangered Species Act of 1973, as amended (16 U.S.C. *et seq.*) 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 providing during the Recovery Plan development. The Service will consider all information presented during a public comment period prior to approval of each new, revised or, in this case, updated Recovery Plan. The Service and other federal agencies will also take these comments into account in the course of implementing Recovery Plans.

The document submitted for review is the draft Roseate Tern (*Sterna dougallii dougallii*) Updated Recovery Plan. Currently, 85 percent of the birds are concentrated in three colonies, two in Massachusetts and one in New York.

This temperate zone tern prefers to nest under or adjacent to objects that provide cover or shelter. These objects include clumps of vegetation, rocks, driftwood, or man-made objects. Roseate terns are exclusively marine, and usually breed on small islands, but occasionally on sand dunes at the end(s) of barrier beaches.

Since the roseate tern was listed in 1987, the sites that support the largest colonies of terns, and most of those that support medium-sized colonies, are owned by government agencies or private conservation organizations and are managed to protect the terns. Though most of the terrestrial habitat that the roseate tern occupies during the nesting season is "protected", threats such as predation, human disturbance, storm events, and habitat loss to erosion persist at most colonies.

Due to the continued vulnerability of this population, delisting of the roseate tern is inadvisable at this time. The immediate recovery objective for this species is to reclassify the species to threatened status. To achieve this objective, three criteria need to be met: (1) increase the northeast nesting population (U.S. and Canada) to 5,000 breeding pairs; (2) the 5,000 pairs occur

among 6 or more large colonies with high productivity within the current geographic distribution; and (3) institute long-term agreements to assure protection and management sufficient to maintain the population targets and average productivity in each breeding colony. Delisting of the population will be considered if the nesting population reaches the historic, 1930's level of 8,500 pairs. The preceding recovery objectives are the same as those in the 1989 Recovery Plan.

The draft Recovery Plan update is being submitted for agency and public review. After consideration of comments received during the review period, the revised Plan will be submitted for final approval.

Public Comments Solicited

The Service solicits written comments on the Recovery Plan described. All comments received by the date specified above will be considered prior to approval of the Plan.

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

Dated: March 20, 1998.

Adam O'Hara,

Acting Regional Director, Region 5.

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Department of the Interior**Fish and Wildlife Service****Application for Approval of Tin Shot as Nontoxic for Waterfowl Hunting**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of decision.

SUMMARY: The U.S. Fish and Wildlife Service (Service) has reviewed the International Tin Research Institute, Ltd.'s (ITRI) application for approval of tin shot as nontoxic for waterfowl hunting in the United States. The Service has found that the Tier 1 test results are inconclusive and Tier 2 testing is required before further consideration.

FOR FURTHER INFORMATION CONTACT: Paul R. Schmidt, Chief, or Carol Anderson, Wildlife Biologist, Office of Migratory Bird Management (MBMO), (703) 358-1714.

SUPPLEMENTARY INFORMATION: Since the mid-1970s, the Service has sought to identify shot that, when spent, does not pose a significant toxic hazard to migratory birds and other wildlife. Currently, only bismuth-tin and steel shot are approved by the Service as