



Franciscan Manzanita (*Arctostaphylos franciscana*)

Draft Economic Analysis/Revised Critical Habitat Proposal *Questions and Answers*

Description

The Franciscan manzanita is a low, spreading evergreen shrub in the heath family. It may reach up to 3 feet in height when mature. Its leaves are about 1.5 centimeters long, its flowers are urn shaped, and its fruits are mahogany brown and about 6 to 8 millimeters wide. The Franciscan manzanita is considered to be endemic to the San Francisco Peninsula, California, which has been largely converted to urban areas. Habitat suitable for the plant is now mostly lost to development.



Threats

The Franciscan manzanita is subject to multiple threats including disease and predation, fungal infection (twig blight), inadequacy of land tenure security, climate change, modifications of natural fire regime for propagation, trampling of the plant or compaction of the soil by people, vandalism, natural catastrophes, and hybridization.

Status

There is one wild specimen of the Franciscan manzanita left. It was transplanted to a natural area within the Presidio from the spot where it was discovered in the path of a road reconstruction project in 2009.

Questions and Answers

Q. What is this action?

A. In the fall of 2012, the Service listed the Franciscan manzanita as endangered and proposed to designate approximately 318 acres in the City and County of San Francisco, California, as critical habitat for the species. After discovering a mapping error, we have revised that total to 197 acres. Based on new information that has been provided on suitable habitat, the Service is now proposing to add 2 units and 2 subunits totaling 73 acres. Of that, 70 acres are managed by the San Francisco Parks and Recreation District, and 3 acres are private land.

The entire revised proposed 270 acres were considered in the draft Economic Analysis (dEA), which is now available for public review and comment.

Q. What is the history behind this announcement?

A. On Friday, Oct. 23, 2009, the Service was advised that botanists had identified a single specimen of a manzanita species previously thought to be extinct in the wild. The plant was found in a partially cleared area immediately adjacent to a major San Francisco highway that was undergoing

major seismic re-construction. Quickly following discovery of the Franciscan manzanita, a conservation plan was drafted to protect the plant and a Memorandum of Agreement (MOA) to implement it was signed in Dec. 2009. The 15-year plan contains conservation measures to assure that the species survives. Plan implementation included moving the plant, propagating cuttings and seeds from the plant, and securing funding for a long-term conservation effort. The plant was moved to a new location in January 2010.

After review of all available scientific and commercial information, in September 2011, the Service found that listing Franciscan manzanita as an endangered species under the Act was warranted, proposed to list the species.

In the fall of 2012 the Service listed the Franciscan manzanita as endangered and proposed to designate approximately 318 acres in the City and County of San Francisco, California as critical habitat for the species.

Q. Why is the Service proposing critical habitat and what does it mean?

A. Critical Habitat designation does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government control or public access to private lands.

To help recover the Franciscan manzanita, the Service needs to identify any area where it can grow naturally. Critical habitat is defined in the Endangered Species Act (ESA) of 1973, as amended. It identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and that may require special management considerations.

Critical habitat is a tool to ensure Federal agencies fulfill their conservation responsibilities and consult with the Service if their actions may “destroy or adversely modify” critical habitat for listed species. Activities on private lands that don't require Federal permits or funding are not affected by a critical habitat designation.

Q. Where is the proposed critical habitat area located?

A. Almost all the critical habitat being proposed for the Franciscan manzanita is either on Federal lands (the Presidio and Golden Gate National Recreation Area) or on San Francisco City and County parklands.

There are 13 units proposed that meet the legal definition of critical habitat:

- Unit 1: Fort Point consists of 7.7 acres and is located within the Presidio east of the Golden Gate Bridge and north of Doyle Drive along Long Avenue and Marine Drive.
- Unit 2: Fort Point Rock consists of 21.3 acres and is located within the Presidio west of the Golden Gate Bridge and west of Lincoln Boulevard. The unit extends from the Toll Plaza south to Kobbe Avenue.
- Unit 3: World War II Memorial, divided into subunits 3A and 3B, consists of a total of 1.9 acres and is located within the Presidio at the intersection of Lincoln Boulevard and Kobbe Avenue.

- Unit 4: Immigrant Point, divided into subunits 4A and 4B, consists of a total of 4.4 acres. The unit is located within the Presidio along Washington Boulevard east of Lincoln Boulevard and north of Compton Road.
- Unit 5: Inspiration Point, divided into subunits 5A and 5B, consists of a total of 15.3 acres. The unit is within the Presidio and is located north of Pacific Avenue and east of Arguello Boulevard.
- Unit 6: Corona Heights consists of 6.1 acres and is located northwest of Castro and 17th Streets adjacent to Roosevelt and Museum Way.
- Unit 7: Twin Peaks consists of 43.8 acres along the hilltop of Twin Peaks along Twin Peaks Blvd. west of Market Street.
- Unit 8: Mount Davidson consists of 7.3 acres and is located on the eastern slope of Mount Davidson near Myra Way and Molimo Drive.
- Unit 9: Diamond Heights, divided into subunits 9A, 9B and 9C, consists of 38.4 acres and is located near Diamond Heights Blvd. south of Turquoise Way, and O'Shaughnessy Blvd.
- Unit 10: Bernal Heights consists of 14.9 acres and is located north of Cortland Avenue and west of U.S. Highway 101 and surrounded by Bernal Heights Blvd.
- Unit 11: Bayview Park consists of 53.2 acres and is located at Bayview Park west of Candlestick Park east of U.S. Highway 101.
- Unit 12: McLaren Park East, divided into subunits 12A and 12B, consists of a total of approximately 26.6 acres and is located at McLaren Park south of Mansell Street near Visitacion Avenue. This unit and Unit 13 are located roughly midway between the remaining appropriate habitat at Diamond Heights and Bayview Park.
- Unit 13: McLaren Park West consists of 29.7 acres and is located at McLaren Park between Geneva Avenue and Sunnydale Avenue.

Q. Why did you add 73 acres and where is it located?

A. Based on new information that has been provided on suitable habitat, the Service is now proposing to add 2 units and 2 subunits totaling 73 acres. Of that, 70 acres are managed by the San Francisco Parks and Recreation District, and 3 acres are private land.

Q. What is a DEA and what are the results of this analysis?

A. When designating Critical Habitat, the ESA requires the Service to consider economic impacts and other relevant impacts of the designation. The dEA forecasts the potential costs associated with critical habitat for the species. It estimated the potential incremental costs will be \$28,222 over a 20 year period. The incremental costs of critical habitat designation are expected to be limited to the administrative costs of new and re-initiated consultations, which consider whether proposed projects will adversely modify critical habitat for the species.

Q. Who will be affected and what activities were considered in the dEA?

A. The National Park Service, Presidio Trust and the San Francisco Parks and Recreation District are expected to incur incremental costs for critical habitat consultations on the following activities:

management and habitat restoration; soil remediation; road maintenance and construction; broadcast facility maintenance and construction; trail maintenance; and species reintroduction.

Q. How will the designation of critical habitat affect the owner of the critical habitat unit?

A. Critical Habitat designation does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government control of or public access to private lands.

Designation of critical habitat on non-Federal lands does not mean the government wants to acquire or control the land. Activities on non-Federal lands, such as local or private lands, that do not require Federal permits or funding are not affected by a critical habitat designation. Critical habitat designation itself does not require landowners to carry out any special management actions or restrict the use of their land.

If a landowner needs a Federal permit or receives Federal funding for a specific activity, the agency responsible for issuing the permit or providing the funds must consult with the Service to determine how the action may affect a listed species or its habitat.

The ESA, however, does prohibit any individual from engaging in unauthorized activities that will harm listed wildlife. That prohibition is in effect for any federally listed wildlife, with or without designated critical habitat.

Q. What sort of information will be most helpful to submit?

A. The Service will consider information and recommendations from all interested parties. We are particularly interested in comments concerning:

1. The reasons why we should or should not designate habitat as “critical habitat” under section 4 of the ESA (16 U.S.C. 1531 et seq.), including whether there are threats to the species from human activity, the degree of which can be expected to increase due to the designation, and whether that increase in threat outweighs the benefit of designation such that the designation of critical habitat is not prudent.
2. Specific information on:
 - a. Areas containing the physical and biological features essential to the conservation of *the species* that we should include in the final revised critical habitat designation and why. Include information on the distribution of these essential features and what special management considerations or protections may be required to maintain or enhance them;
 - b. Areas proposed as revised critical habitat that do not contain the physical and biological features essential for the conservation of the species and that should not be designated as critical habitat;
 - c. Areas not occupied or not known to be occupied at the time of listing that are essential for the conservation of the species and why;

- d. Information on the projected and reasonably likely impacts of climate change on *A. franciscana* and proposed revised critical habitat and whether the critical habitat may adequately account for these potential effects.
3. Land use designations and current or planned activities in the subject areas and their possible impacts on proposed revised critical habitat.
4. Information on the new areas that we are adding to the revised proposed designation.
5. Information that may assist us in identifying or clarifying the physical and biological features essential to the conservation of *A. franciscana*.
6. Whether any specific areas being proposed as revised critical habitat for *A. franciscana* should be considered for exclusion under section 4(b)(2) of the Act, and whether the benefits of potentially excluding any specific area outweigh the benefits of including that area under section 4(b)(2) of the Act. See the Exclusions section of the September 5, 2012, proposed rule for critical habitat (77 FR 54517) for further discussion. We have not proposed to exclude any areas from critical habitat.

However, we have received requests from the Presidio Trust and the National Park Service (NPS) to exclude some areas within the proposed Units 1, 2, 3A, 4B, and 5A and all of Unit 3A at the Presidio. We will examine conservation actions for *A. franciscana*, including current management planning documents, in our consideration of these areas for exclusion from the final designation of critical habitat for *A. franciscana*, under section 4(b)(2) of the Act. We specifically solicit comments on the inclusion or exclusion of these areas.

8. Any foreseeable economic, national security, or other relevant impacts that may result from designating any area that may be included in the final designation. We are particularly interested in any impacts on small entities, and the benefits of including or excluding areas from the proposed revised designation that are subject to these impacts.
9. Information on the extent to which the description of probable economic impacts in the DEA is complete and accurate, and specifically: Whether there are incremental costs of critical habitat designation (for example, costs attributable solely to the designation of critical habitat for *A. franciscana*) that have not been appropriately identified or considered in our economic analysis, including costs associated with future administrative costs or project modifications that may be required by Federal agencies related to section 7 consultation under the Act;
10. Whether our approach to designating critical habitat could be improved or modified in any way to provide for greater public participation and understanding, or to assist us in accommodating public concerns and comments.

Q. I've already submitted information. Do I need to send it in again to have it considered?

A. No. If you submitted comments or information on the proposed rule during the initial comment period in 2012, please do not resubmit them. We will incorporate them into the public record as part of this comment period, and fully consider them in the preparation of our final

determination. Our final determination concerning revised critical habitat will take into consideration all written comments and any additional information we receive during both comment periods.

Q. How can I submit a comment?

A. The public comment period will be open for 30 days and closes on July 29, 2013.

You may submit written comments by one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Search for Docket No. FWS-R8-ES-2012-0067, which is the docket number for this rulemaking, and submit your comment there.

(2) By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS-R8-ES-2012-0067; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203. Or deliver them by hand at the public hearing (see Public Hearing, below).