



Frequently Asked Questions about *Astragalus lentiginosus* var. *coachellae* (Coachella Valley milk-vetch) Proposed Critical Habitat

What is *Astragalus lentiginosus* var. *coachellae* (Coachella Valley milk-vetch)?

The Coachella Valley milk-vetch is one of many varieties of milk-vetch known worldwide. This variety is only found in portions of eastern Riverside County, California, between the cities of Cabazon and Indio.

Behaving as a winter annual or short-lived perennial, Coachella Valley milk-vetch plants grows between eight to 12 inches high and produces deep pink-purple flowers.

This plant is found in on loose wind-blown or alluvial sands located on dunes or flats, and along disturbed margins of sandy washes.

Why is this plant protected under the Endangered Species Act?

When determining whether a species qualifies for listing under the Endangered Species Act (Act), the Service looks at five separate factors, including: (1) present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms; and (5) other natural or manmade factors affecting its continued existence.

Coachella Valley milk-vetch was listed as endangered under the Act on Oct. 6, 1998, based on factors 1 and 4.

This plant occurs on sand dunes and flats in the Coachella Valley. Most of the sand that flows into the Coachella Valley originates from drainage basins in the San Bernardino, Little San Bernardino and San Jacinto Mountains, and Indio Hills.

The sand is transported down the drainages and deposited along terraces in stream channels or in alluvial fans. Both wind and water provide the mechanism by which fine-grained sands are subsequently blown across the valley.

As development has increased in the Coachella Valley, the natural movement of sand into and across the area has been reduced or eliminated.

Long-term conservation of Coachella Valley milk-vetch is dependent upon the maintenance of sand transport corridors, sand deposition areas, and areas where populations of the plant are located.

Why is the Service proposing critical habitat?

When the Service listed Coachella Valley milk-vetch as endangered under the Act, the agency determined that designation of critical habitat was not prudent.

The Center for Biological Diversity and California Native Plant Society filed a lawsuit against the Service in 2001, challenging the Service's failure to designate critical habitat for the plant. A second lawsuit asserting the same challenge was filed by the Building Industry Legal Defense Foundation. As a result of these lawsuits, the court ordered the Service to review its previous not prudent finding and, based on the result of that review, propose critical habitat if prudent.

The Service reviewed its previous determination and concluded that designation of critical habitat is prudent and on Dec. 14, 2004, a proposed critical habitat designation was published in the *Federal Register*.

What are the primary habitat requirements for Coachella Valley milk-vetch?

When designating critical habitat, the Service must determine – based on the best available scientific information – what physical and

biological features (primary constituent elements) are essential to the conservation of a species and may require special management considerations or protection.

Primary constituent elements are those specific habitat components that enable a species to fulfill its life cycle needs.

In the case of Coachella Valley milk-vetch, primary constituent elements include the following: (1) Unconsolidated sands stored within rivers and tributaries in the San Bernardino, Little San Bernardino, and San Jacinto Mountains and Indio Hills; unconsolidated sands deposited on the alluvial fans of the San Bernardino, Little San Bernardino, and San Jacinto Mountains and Indio Hills; suitable flooding regimes to transport unconsolidated sands from rivers and tributaries to the alluvial fans of the San Bernardino, Little San Bernardino, and San Jacinto Mountains and Indio Hills; suitable wind and flooding regimes to transport unconsolidated sands deposited on the alluvial fans of the San Bernardino, Little San Bernardino, and San Jacinto Mountains and Indio Hills to the fluvial eolian depositional areas, including areas west of Edom Hill/Willow Hole Reserve, areas west of Coachella Valley Preserve, and the Whitewater Floodplain area that are occupied by Coachella Valley milk-vetch; and eolian sands on active, stabilized, and shielded sand dunes or fields, and sandy alluvial sites in washes within the San Gorgonio/Whitewater River eolian sand transport system that are occupied by the plant.

What areas are being proposed as critical habitat?

Approximately 3,583 acres of land is proposed as critical habitat for Coachella Valley milk-vetch. More than 80 percent of proposed critical habitat occurs on land managed by Federal agencies (Bureau of Land Management, and U.S. Fish and Wildlife Service).

There are 33 acres of State or locally managed land and 643 acres of privately owned land being proposed as critical habitat.

All areas proposed as critical habitat contain one or more of the primary constituent elements essential to the conservation of the species.

Are there other areas essential to Coachella Valley milk-vetch not proposed for critical habitat designation?

Yes. Within the boundaries of the draft Coachella Valley Multiple Species Habitat Conservation Plan, areas identified in the preferred alternative reserve design are being excluded from proposed critical habitat. The Service determined it was appropriate to exclude these lands from proposed critical habitat because the areas will be conserved and managed for the species.

In addition, the areas in the surrounding hills and mountains in which the sand originates are identified for possible inclusion in the final designation, and public comment is requested on whether these areas face threats or are otherwise in need of special management that would warrant their designation.

What does critical habitat mean for Federal agencies?

All Federal agencies are required to consult with the Service regarding activities they authorize, fund, or permit which may affect a federally listed species or its designated critical habitat.

The purpose of the consultation is to ensure that projects will not adversely modify or destroy designated critical habitat for Coachella Valley milk-vetch.

How does critical habitat affect private landowners?

The designation of critical habitat does not affect private landowners, unless a project they are proposing uses Federal funds, or requires Federal authorization or permits (e.g., funding from the Federal Highways Administration or a permit from the U.S. Army Corps of Engineers).

If a private landowner does have a Federal nexus then the Federal agency that is responsible for providing the funding or permit would consult with the Service.

How can I comment on the proposed rule?

Comments on the proposed rule can be submitted in writing to the Field Supervisor, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92009.

Information and materials may also be sent by facsimile to 760-431-9618, or by electronic mail to **fw1cfwocvmv@fws.gov**.

If you are sending comments by electronic mail, please include "Attn: Coachella Valley milk-vetch" in the subject line and include your name and address in the body of the message. Please submit your e-mail comments in ASCII file format and avoid the use of special characters or encryption.

The Service will accept comments on the proposal until 5:00 p.m. on Feb. 14, 2005. Requests for a public hearing must be submitted in writing within 45 days after the opening of the comment period.

Copies of the proposed rule can be requested by calling the Carlsbad Office at 760-431-9440, or by visiting the Carlsbad Office's website at <http://carlsbad.fws.gov>.

The draft Coachella Valley MSHCP can be viewed online at <http://www.cvmshcp.org>



Prepared by: Carlsbad Fish and Wildlife Office