

Frequently Asked Questions About
Critical Habitat and the Colorado Butterfly Plant
January 11, 2005

Q. What is the Colorado Butterfly Plant?

The Colorado butterfly plant is a short-lived perennial herb found in moist areas of floodplains and stands 2-3 feet tall with one or a few reddish, fuzzy stems and white flowers that turn pink or red with age. Only a few flowers are open at one time and these are located below the rounded buds and above the mature fruits. Non-flowering plants consist of a stemless, basal rosette of oblong, hairless leaves 1-7 inches long.

Current range of the plant is restricted to Platte and Laramie Counties in southeastern Wyoming and Weld County, Colorado.

The Colorado butterfly plant was added to the list of threatened species protected under the Endangered Species Act on October 18, 2000.

Native plants are important for their ecological, economic, and aesthetic values. Plants play an important role in development of crops that resist disease, insects, and drought. At least 25 percent of prescription drugs contain ingredients derived from plant compounds, including medicine to treat cancer, heart disease, juvenile leukemia, and malaria, and to assist in organ transplants. Plants are also used to develop natural pesticides.

Q. What are the threats to the plant?

Non-selective use of herbicides, over-grazing, haying and mowing at certain times of the year, water development, land conversion for cultivation, competition from exotic plants, and loss of habitat to urban growth are the main threats to plant populations.

Q. What action is the Fish and Wildlife Service taking?

The U. S. Fish and Wildlife Service is designating 3,538 acres of habitat along approximately 51 stream miles within Platte and Laramie counties, Wyoming as critical habitat for the Colorado butterfly plant. Designated critical habitat is adjacent to Tepee Ring Creek, Bear Creek, Little Bear Creek, Horse Creek, Lodgepole Creek, Diamond Creek, and Lone Tree Creek in Wyoming.

Q. What is critical habitat?

Critical habitat is a term in the Endangered Species Act. It identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and may require special management considerations. The designation of critical habitat does not affect land ownership nor allow government or public access to private lands and will not result in closure of the area to all access or use.

Q. Does the designation of critical habitat create preserves?

No. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area.

Q. Is an economic analysis required as part of designating critical habitat?

Yes. The Service must take into account the economic impact and other relevant impacts of identifying any particular area as critical habitat. Unless the failure to designate an area as critical habitat would result in the extinction of the species, we may exclude an area from critical habitat if we determine that the benefits (economic and otherwise) of excluding it outweigh the benefits of including it. This determination is based on the best scientific, economic, and commercial information available. Copies of the final economic analysis may be obtained at <http://mountain-prairie.fws.gov/species/plants/cobutterfly/index.htm>

Q. Is critical habitat designated for all listed species?

No. Critical habitat has been designated for approximately 36 percent of the species currently listed as threatened and endangered under the Endangered Species Act. The Act requires us to identify critical habitat at the time a species is listed. However, in some cases, designating critical habitat may be considered “not prudent” if it would cause harm to the species, such as increasing the possibility of vandalism or collection or would not be beneficial to the species. We may find that such a designation is “not determinable” if we don’t have enough information when a species is listed to define areas as critical habitat.

Q. Why has critical habitat been designated for the Colorado butterfly plant now?

Critical habitat for the Colorado butterfly plant was not proposed at the time of listing in 2000 due budget constraints and other listing actions of higher priority. Consequently, a lawsuit was filed by the Center for Biological Diversity and the Biodiversity Legal Foundation for failure to designate critical habitat. A court-approved settlement agreement required the Service to make a final critical habitat designation for the Colorado butterfly plant by Dec. 31, 2004.

Q. How does the final designation differ from what was proposed?

In this final action, the Service excluded 4,948 acres from the 8,486 acres that were proposed as critical habitat.

Some areas in Wyoming were excluded because the Service and private landowners developed conservation agreements that will provide conservation benefits for the plant. Similarly, habitat in Weld County, Colorado was excluded because the City of Fort Collins signed a conservation agreement with the Service.

Habitat located on the F.E. Warren Air Force Base was not considered for designation as critical habitat because the Base has an approved Integrated Natural Resources Management Plan that addresses the conservation needs of the species.

Proposed areas in Kimball County, Nebraska were excluded based on 2004 survey results showing no remaining populations and habitat that did not include all the biological elements necessary for the conservation of the plant.

Q. What is the land ownership of the proposed critical habitat designations?

Private lands comprise 90 percent of the designated critical habitat with state lands comprising the remaining 10 percent.

Q. Were any areas excluded from this critical habitat designation?

In this designation, the Service excluded 4,948 acres from the 8,486 acres that were proposed as critical habitat. Some areas were excluded based on new information provided by recent surveys while other areas were excluded because the Service and private landowners developed conservation agreements that will provide protection and conservation benefits for the plant.

Habitat located on the F.E. Warren Air Force Base was not considered for designation as critical habitat because the Base has an approved Integrated Natural Resources Management Plan that addresses the conservation needs of the species.

Q. How did the Service determine what areas should be proposed as critical habitat for the Colorado butterfly plant?

The Service used the best scientific data available to determine areas that contain the physical and biological features essential for the conservation of the plant and reviewed all the available information concerning habitat conditions, threats, limiting factors, population demographics, and the known location, distribution, and abundance of the plant.

The Service designated only those areas that currently have the biological features essential to the conservation of the Colorado butterfly plant

Q. How does a critical habitat designation affect private landowners?

The designation of critical habitat on privately-owned land does not mean the government wants to acquire or control the land. Activities on private lands that do not require Federal permits or funding are not affected by a critical habitat designation. Critical habitat does not require landowners to carry out any special management actions or restrict the use of the 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 would consult with the Service to determine how the action may affect the species or its designated critical habitat. The Service will work with the Federal agency and private landowner to modify the project and minimize the impacts.

Q. How would State lands be affected by a critical habitat designation?

Non-Federal activities are not affected by a critical habitat designation. However, Federal agencies are required to review activities they fund, authorize, or carry out, to assess the likely effects of the activities on critical habitat.

Q. How long will this critical habitat designation remain in effect?

Until the species is considered to be recovered, and is de-listed.