



Background and Q&As on the Designation of Critical Habitat for Fender's blue butterfly, Kincaid's lupine and Willamette daisy

Q. What action is occurring?

A. The U.S. Fish and Wildlife Service is designating 3,010 acres in 13 units for the Fender's blue butterfly, 585 acres in 13 units for Kincaid's lupine, 718 acres in 9 units for the Willamette daisy. Approximately 80 percent of the area within Kincaid's lupine occurs within a Fender's blue butterfly unit.

Q. What are the basic facts about these species?

A. Fender's blue butterfly is a small butterfly with a wingspan of approximately one inch. The upper wings of the males are brilliant blue with a blackish wing margin and white fringe of scales. The distribution of the butterfly is restricted to the Willamette Valley, Oregon, occurring in Yamhill, Polk, Benton and Lane Counties. Fender's blue butterfly is endangered because native prairie habitat has been converted to agriculture, subjected to fire suppression, invaded by non-native plants or otherwise developed.

Kincaid's lupine is a perennial species in the pea or legume family and is the host plant to the Fender's blue butterfly. The lupine's aromatic flowers have a distinctly ruffled banner and are yellowish-cream colored, often showing shades of blue on the keel. The leaflets are deep green with a smooth upper surface. Although its range extends north to Lewis County, Washington, and south to Douglas County, Oregon, Kincaid's lupine is found mainly in the Willamette Valley, Oregon, where it occupies native grassland habitats.

The Willamette daisy is a perennial herb in the composite family. The flowers are daisy-like, with yellow centers and 25-50 pinkish to blue rays, often fading to white with age. Flowering typically occurs during June and early July. The Willamette Daisy grows only in Oregon's Willamette Valley and historically was likely widespread throughout the Valley. Currently, the daisy is distributed over an area between Grand Ronde and Goshen, Oregon.

Q. Why is critical habitat being designated for these three prairie species?

A. On April 23, 2003, a complaint was filed against the Service in court for failure to designate critical habitat for these species. In December 2003, a settlement agreement resulted in a schedule for the Service to submit a proposed critical habitat rule to the *Federal Register* by October 15, 2005, and a final rule by October 15, 2006.

Q. Which areas are determined to be essential to the conservation of the prairie species?

A. The designated critical habitat includes wet and upland prairie and savanna habitat located in western Oregon and southwestern Washington. Areas determined to be beneficial to the conservation of the prairie species include: 1) core occupied sites defined as the largest (measured in area or number of individuals) and highest quality habitats across the range of the species; and 2) sites in close proximity, as measured by Fender's blue butterfly average dispersal distance or pollinator flight distance, to core sites that contribute to functioning metapopulations (groups of spatially separated populations which interact). The Service did not designate occupied sites that were small, degraded, and isolated from core areas. In many areas, the critical habitat for the three species overlaps.

Q. How much of the critical habitat designation is on private land and tribal land?

A. Approximately 63 percent of the critical habitat occurs on private land. There are no areas designated known to be on tribal lands.

Q. How much of the critical habitat designation is on public land?

A. Thirty-six percent of critical habitat is on federal lands, including the Bureau of Land Management, Army Corps of Engineers, and USDA Forest Service. Approximately one percent of the designation is owned by city, county, or state government.

Q. Were any areas that could qualify as critical habitat for these species excluded from the final critical habitat designation?

A. Yes. Although no area was excluded from the proposed designation for economic reasons, approximately 12 acres were excluded because private landowners were providing voluntary protection for Kincaid's lupine. The proposed critical habitat for Kincaid's lupine in Douglas County, Oregon, and Lewis County, Washington, included lands owned by Lone Rock Timber Management Company, Roseburg Forest Products, Seneca Jones Timber Company, and Mallonee Farms. These landowners have been working cooperatively with state and federal agencies to implement conservation and recovery activities for Kincaid's lupine on their property and have developed site-specific plans that include management for Kincaid's lupine. Additionally, 90.3 acres of federal land in Douglas County were excluded from the final designation based on protection commitments made in a signed Conservation Agreement for Kincaid's lupine by the Bureau of Land Management and USDA Forest Service.

Q. What is critical habitat?

A. Critical habitat is a term in the Endangered Species Act (ESA). It identifies geographic areas that contain features that contribute to the conservation of a threatened or endangered species and may require special management considerations. The designation

of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve or other conservation area. Critical habitat designation does not impose restrictions on private lands unless federal funds, permits or activities are involved. Federal agencies that undertake, fund, or permit activities that may affect critical habitat are required to consult with the Service to ensure such actions do not adversely modify or destroy designated critical habitat.

Q. What are the expected economic impacts of designating this critical habitat?

A. An analysis of the economic effects of the designation concluded that costs related to the designation could total \$1.3 to \$11.3 million over the next 20 years, in undiscounted 2006 dollars. Approximately 35 percent of the total future cost is estimated to be potential loss of land values borne by existing landowners, and another 30 percent is expected to be potential costs of land management. Potential costs of modifications to transportation operations, primarily the planned West Eugene Parkway and a proposed street in Dallas, Oregon could represent another 30 percent of the total.

Q. How will the designation of critical habitat affect non-federal landowners?

A. The designation of critical habitat on non-federal lands does not mean the government wants to acquire or control the land. Critical habitat has no regulatory impact on private landowners taking actions on their land, unless they are doing something that involves federal funding or permits. Critical habitat does not require landowners to carry out any special management actions or restrict the use of their land.

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

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 a listed species or its habitat.

Q. Do federal agencies have to consult with the Service outside critical habitat areas?

A. Yes. Even when there is no critical habitat designation, federal agencies must consult with the Service to ensure any action they carry out, fund, or authorize is not likely to jeopardize the continued existence of a listed species.

If you have any more questions, please call or write:

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