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News Release



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Critical Habitat Proposed for Peirson's Milk-Vetch

The U.S. Fish and Wildlife Service today proposed to designate critical habitat for the threatened Peirson's milk-vetch (*Astragalus magdalenae* var. *peirsonii*) on approximately 52,780 acres of sand dunes in Algodones Dunes in Imperial County, California. The area is managed by the Bureau of Land Management.

A draft economic analysis is underway to identify impacts associated with the proposed critical habitat designation. It will be released separately for public review and comment.

To determine the areas essential to the conservation of the Peirson's milk-vetch, the Service relied on the best available scientific and commercial information about the species and its habitat, including multiple years of survey data collected by Bureau of Land Management and other entities.

Primary habitat components that provide for the conservation of the plant and its seed bank include intact, active sand dune systems, soils that discourage the growth of creosote bush, and wind-formed slopes of less than 30 degrees.

"The Service is actively soliciting public comments on the proposal," said Steve Thompson, Manager of the California/Nevada Operations Office. "In addition, we will also be submitting the proposal for independent peer review in accordance with our commitment to ensuring the best science is used in designating critical habitat."

Peirson's milk-vetch is a perennial member of the legume family. It has a long tap root that can penetrate deep into the sand to reach moisture and functions as an anchor for the plant in shifting sands. The plant has delicate pale purple flowers and produces large fruits that each contain 11 to 16 flattened black seeds. Plants may flower in their first year and produce between one and five fruits, while older plants produce significantly more fruits.

On October 6, 1998, the Service listed the plant as a threatened species under the Endangered Species Act. The primary threat cited in the listing of the plant was the impact of off-highway vehicle use.

The Algodones Dunes is one of the most popular areas for off-highway vehicle (OHV) recreation in the United States. In April 2003, the Service completed consultation on BLM's draft Recreation Area Management Plan (RAMP) for the dunes. The BLM has indicated it will monitor the species over the next four years to determine the extent to which vehicle use affects the plant and its habitat.

As an additional safeguard for the plant, consultation with the Service may occur before the end of the four-year study period if populations of the plant in any of the management areas covered by the RAMP drop below 50 percent of an established baseline. Based on the review of the draft RAMP and the provisions to conduct monitoring and study efforts, the Service determined that implementation of the RAMP over the next four years is not likely to jeopardize the continued existence of Peirson's milk-vetch.

Critical habitat is a term in the Endangered Species Act identifying geographic areas that are 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 or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government or public access to private lands.

This critical habitat proposal was completed in response to a lawsuits filed by the Center for Biological Diversity, the California Native Plant Society, and the Building Industry Legal Defense Fund.

In 30 years of implementing the Endangered Species Act, the Service has found that the designation of critical habitat provides little additional protection to most listed species, while preventing the Service from using scarce conservation resources for activities with greater conservation benefits.

In almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitat. Habitat is also protected through cooperative measures under the Endangered Species Act including Habitat Conservation Plans, Safe Harbor Agreements, Candidate Conservation Agreements and state programs. In addition, voluntary partnership programs such as the Service's Private Stewardship Grants and Partners for Fish and Wildlife program also restore habitat. Habitat for endangered species is provided on many national wildlife refuges, managed by the U.S. Fish and Wildlife Service and state wildlife management areas

The proposed rule to designate critical habitat for Peirson's milk-vetch was published in the *Federal Register* on August 5, 2003. A copy of the proposed rule and other information about the proposal is available on the Internet at <http://carlsbad.fws.gov>. Comments may be submitted in writing to the above address, or may be submitted electronically to FW1PMV@r1.fws.gov. If you wish to submit comments electronically, please avoid the use of special characters or encryption. Also, please include "Attn: RIN 1018-AI77" in the subject line and your name and return address in the body of your message.

Comments on the proposed rule will be accepted until 5:00 p.m. on October 6, 2003. Written comments on the proposed rule should be submitted to the Field Supervisor, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92009. Written requests for a public hearing on the proposal must be received by the Service by 5:00 p.m. on September 19, 2003.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American

people. The Service manages the 95-million-acre National Wildlife Refuge System which encompasses 542 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 70 national fish hatcheries, 64 fishery resource offices and 81 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

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