

Frequently Asked Questions About

The Proposal to List and Designate Critical Habitat For the Graham's Beardtongue

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

A – The U. S. Fish and Wildlife Service is proposing to list the Graham's beardtongue, a perennial plant found in northeastern Colorado and northwestern Utah, as a threatened species under the Endangered Species Act and designate approximately 3,058 acres of land as critical habitat.

A final decision regarding the proposed listing and designation of critical habitat will be made by December 8, 2006 after the economic analysis has been finished and the public comments considered.

Q- Where is the Graham's beardtongue found?

A – The plant exists in a series of small populations in a narrow band from Raven Ridge, west of the town of Rangely in Rio Blanco County, CO, westward to the vicinity of Sand Wash near the point where Carbon, Duchesne and Uintah Counties meet in the Uinta Basin of UT (a band ~ 80 mi. long by 5 mi. wide).

Q -What activities could threaten the continued existence of the plant?

A - Threats to the plant may include loss of habitat due to oil and gas exploration, drilling and field development; and tar sand and oil shale mining. Off-road vehicle use, overuse by domestic and wild grazers, and overuse for horticultural use may also affect some plant populations. These threats, in combination with small population sizes and limited distribution of the plant, result in its vulnerability to natural and human-caused events.

Q – What is critical habitat?

A – Critical habitat designates areas that contain habitat essential for the conservation of a threatened or endangered species and which may require special management considerations. A designation does not set up a preserve or refuge and has no specific regulatory impact on landowners whose actions on their land do not involve Federal agency funds, authorization or permits.

Critical habitat is determined after taking into consideration the economic impact it could cause, as well as any other relevant impacts. The Secretary of the Interior may exclude any area from

critical habitat if the benefits of exclusion outweigh the benefits of inclusion, as long as the exclusion would not result in the extinction of the species.

Q – What is being proposed as critical habitat for the Graham’s Beardtongue?

A - All lands being proposed as critical habitat are occupied by the plant. The five units being proposed are separated by unoccupied gaps in the species range. The units are:

- Sand Wash Unit (124 acres) occurs in the vicinity of Sand Wash in southwestern Uintah and adjacent Duchesne Counties, Utah.
- Seep Ridge Unit (1,428 acres) occurs approximately 17 miles east of the Sand Wash population in the vicinity of Buck, Sunday School, and Klondike Canyons near the Seep Ridge road in south central Uintah County, Utah.
- Evacuation Creek Unit (1,577 acres) occurs approximately 10 miles east of the Seep Ridge unit in Asphalt Wash and Evacuation Creek drainages near the abandoned Gilsonite mining towns of Dragon and Rainbow. This population is in southeastern Uintah County, Utah, and adjacent Rio Blanco County, Colorado.
- White River Unit (197 acres) occurs approximately 5 miles north of the Evacuation Creek unit in Hells Hole and Weaver Canyons immediately south of the White River in eastern Uintah County, Utah.
- Raven Ridge Unit (175 acres) occurs approximately 7 miles northwest of the White River unit along the west flank of Raven Ridge and north of the White River between Raven Ridge and the Utah border in extreme western Rio Blanco County, Colorado.

Details of the critical habitat proposal are included in the maps and documents published with the proposed rule in the *Federal Register*.

Q – What is the land ownership or the proposed critical habitat designations?

A – 75 percent of the proposed critical habitat occurs on federal Bureau of Land Management (BLM) lands in Colorado and Utah. Of the remaining proposed lands, 13 percent occurs on private lands and 12 percent on State of Utah lands.

Q – How did the Service determine what areas should be proposed as critical habitat for the Graham’s beardtongue?

A - 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 is only proposing to designate areas that currently have the biological features essential to the conservation of the plant and for areas that require special management.

Habitat features necessary for the conservation of the plant are limestone or chalky shale knolls and slopes dominated by dwarf shrubs and cushion-like plants characteristic of the Graham's beardtongue plant community.

Q – Who would be affected by a critical habitat designation?

A – Federal agencies are required to consult with the Service on actions they carry out, fund, or authorize that might affect critical habitat. It is important to note that in most cases, this is already occurring under the section 7 interagency consultation requirements of the Endangered Species Act.

Q - What would a critical habitat designation mean to a private landowner?

A - A critical habitat designation does not affect situations where a Federal agency is not involved - for example, a landowner undertaking a project on private land that involves no Federal funding or permit.

Q - How will a critical habitat designation for the Graham's beardtongue affect use of personal property? Will this result in any taking of property?

A - 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?

A - Non-Federal activities are not affected. Designation of critical habitat requires Federal agencies to review activities they fund, authorize, or carry out, to assess the likely effects of the activities on critical habitat.

Q – Would a critical habitat designation have economic impacts?

A – An economic analysis of the proposed critical habitat designation will be completed and subject to public review prior to a final decision. The Secretary of Interior may exclude any area from critical habitat if the benefits of exclusion outweigh the conservation benefits of inclusion,

as long as the exclusion would not result in the extinction of the species.

Q – How long would a critical habitat designation remain in effect?

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

Q – Will I have an opportunity to comment on the proposed critical habitat designations?

A – The 60-day comment period closes on March 19, 2006. Comments and information may be submitted in writing to: Henry Maddux, Field Supervisor, U.S. Fish and Wildlife Service, Utah Field Office, 2369 West Orton Circle, West Valley, Utah 84119 or via e-mail to fw6_penstemongrahamii@fws.gov or by facsimile to 801-975-3331.