

Item #9

Donna Bradford

From: Gary Lease [rehbock@ucsc.edu]
Sent: Thursday, January 06, 2005 10:42 PM
To: Donna Bradford
Subject: **Fw:** Snowy Plover Critical Habitat Proposed

Critical Habitat **Proposed** for **Pacific Coast Population of Western Snowy Plover**

December 17, 2004
News Release

Contact: Jim Nickles, 916/414-6572 or Al Dormer, 916/414-6566

For specific areas, please contact:

Lois Grunwald (Central California Coast), 8051644-1766
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Amedee Brickey (Northern California Coast), 7071822-7201
Doug Zimmer (Washington), 3601753-4370
Phil Carroll (Oregon), 5031231-6179

Public comment accepted for 60 days

The U.S. Fish and Wildlife Service today proposed 35 critical-habitat **units** along the coast of California, Oregon, and Washington for the Pacific coast population of the western snowy plover, a Federally protected species, opening a 60-day comment period on the proposal. The proposed critical habitat units total 17,299 acres, less than an earlier critical habitat plan the Service adopted in 1999.

Of the proposed units, 26 are in California, **six** are in Oregon, and three are in Washington. Of the total acreage, 4,456 acres, or 26 percent, are on Federal lands; 8,893 acres, or 51 percent, are owned by states or local agencies; and 3,950 acres, or 23 percent, are private. The new proposal calls for more critical habitat units but generally smaller ones, based on increased knowledge of the species' needs and better mapping.

The Service will receive public comment on this proposed designation for 60 days, until 5 p.m. on February 15, 2005. Under a court order, the Service must make a **f i i** decision on critical habitat by September 20, 2005.

Under the Endangered Species Act, critical habitat 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 or establish a refuge, wilderness, reserve, preserve or other conservation area. It does not allow **government** or public access to private lands.

The Service initially designated critical habitat for the Pacific Coast population of the western snowy plover in 1999. In 2003, a Federal court directed the Service to review the critical habitat under new criteria and re-issue its proposal by Dec. 1, 2004. This action responds to the mandate from the court. The new proposal calls for 35 units, compared to 28 units in the 1999 plan, but covers only 17,299 acres, compared to 19,474 acres in the 1999 plan.

This critical habitat proposal was completed in response to a lawsuit filed by the Coos County Board of County Commissioners.

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. The 1993 listing of the plover as "threatened" under the provisions of the Endangered Species Act provides broad protection for the species without regard to habitat. Under the ESA, no one may harm or injure this species in any way.

Since the species was listed as threatened, many local groups have voluntarily worked to protect plovers and their breeding areas, and to help educate the beach-using public about the bird's needs. In many areas, beach users have cooperated with local interests to improve the breeding situation for plovers.

"This is not a final decision, so we would hope that people carefully review this proposed critical-habitat designation and provide comments and suggestions," said Steve Thompson, manager of the Service's California-Nevada Operations Office. "We need the public's help to ensure that our final decision is as accurate and scientifically sound as possible, so we can continue to recover this sensitive species."

The western snowy plover is a small shorebird with pale brown to gray upper parts, gray to black legs and bill, and dark patches on the forehead, behind the eyes, and on either side of the upper breast.

The Pacific coast population of the western snowy plover is defined as those individuals nesting adjacent to tidal waters of the Pacific Ocean, and includes all nesting birds on the mainland coast, peninsulas, offshore islands, adjacent bays, estuaries and coastal rivers. The Pacific Coast WSP breeds primarily on coastal beaches from southern Washington to southern Baja California, Mexico.

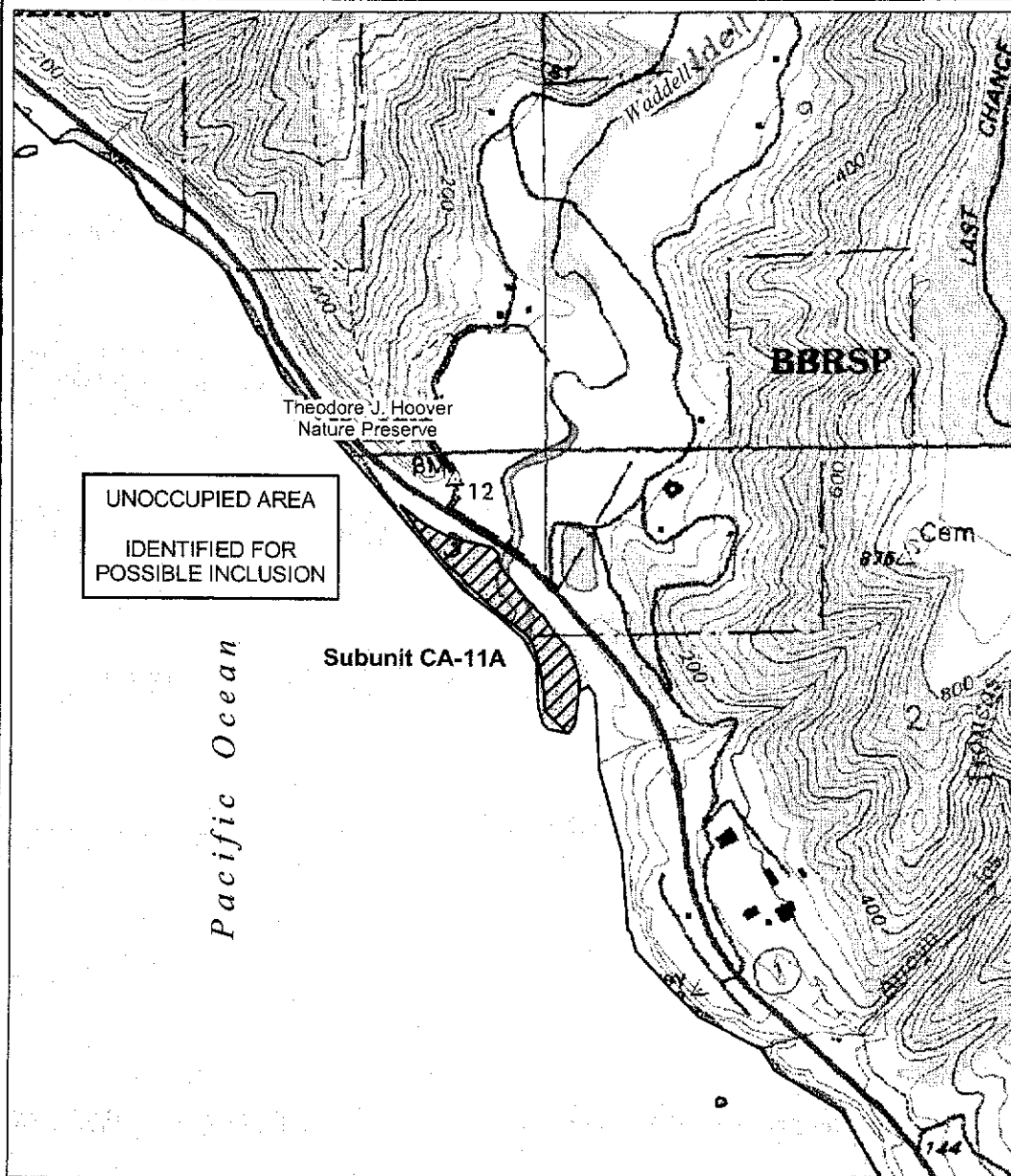
Biologists estimate that no more than 2,600 snowy plovers breed along the Pacific Coast of the United States with an equal number breeding on the west coast of Baja California. The largest number of breeding birds occurs south of San Francisco Bay to southern Baja. The species' decline has been attributed to loss of nesting habitat, human disturbance, encroachment of European beach grass on nesting grounds, and predation.

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 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 544 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 63 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.

Map 40. Waddell Creek Beach (CA-11A), Santa Cruz County, California.



Legend



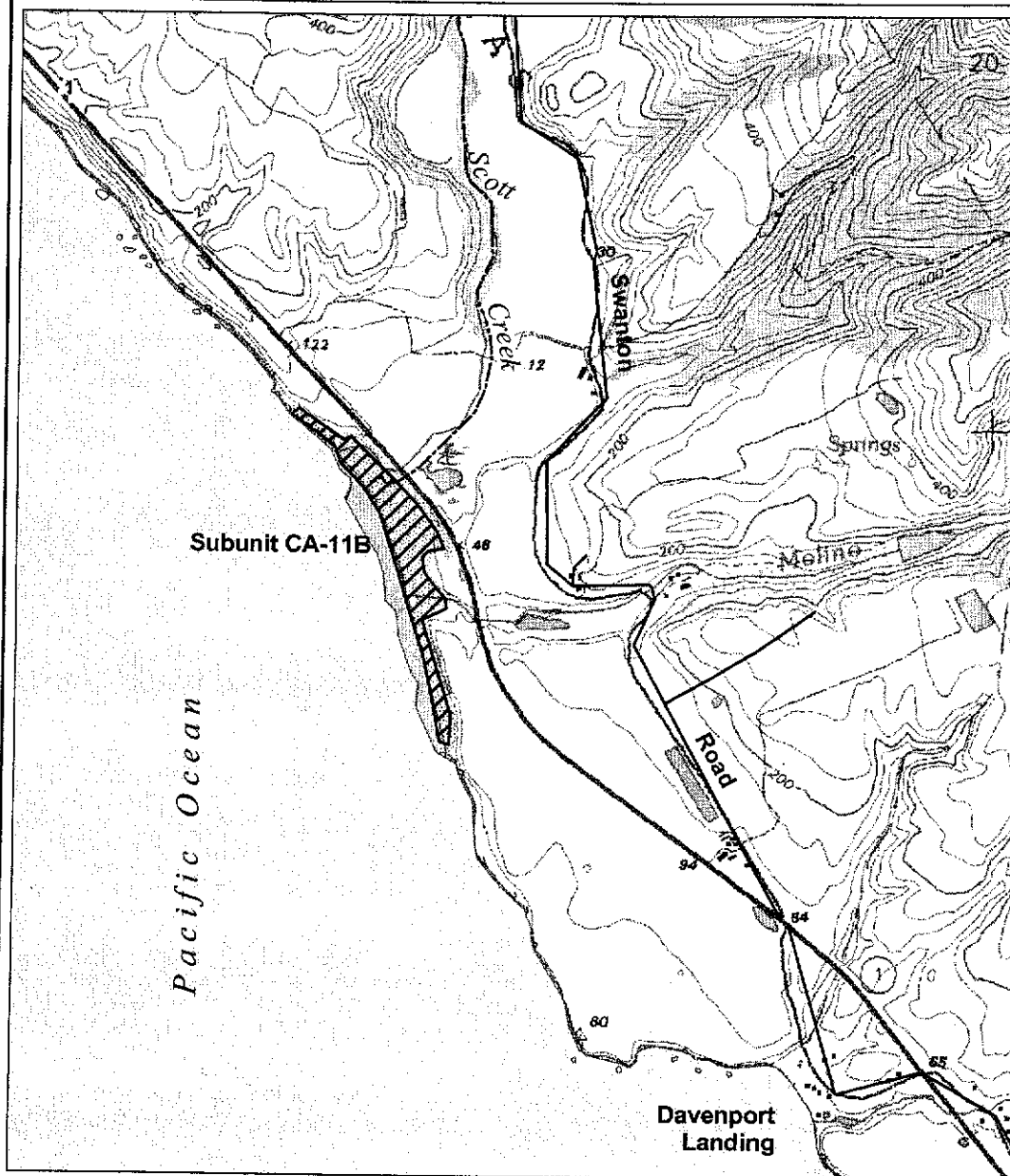
Western Snowy Plover Proposed Critical Habitat Unit

0.2 0 0.2 Miles

0.4 0 0.4 Kilometers



Map 41. Scott Creek Beach (CA-11B), Santa Cruz County, California.



Legend

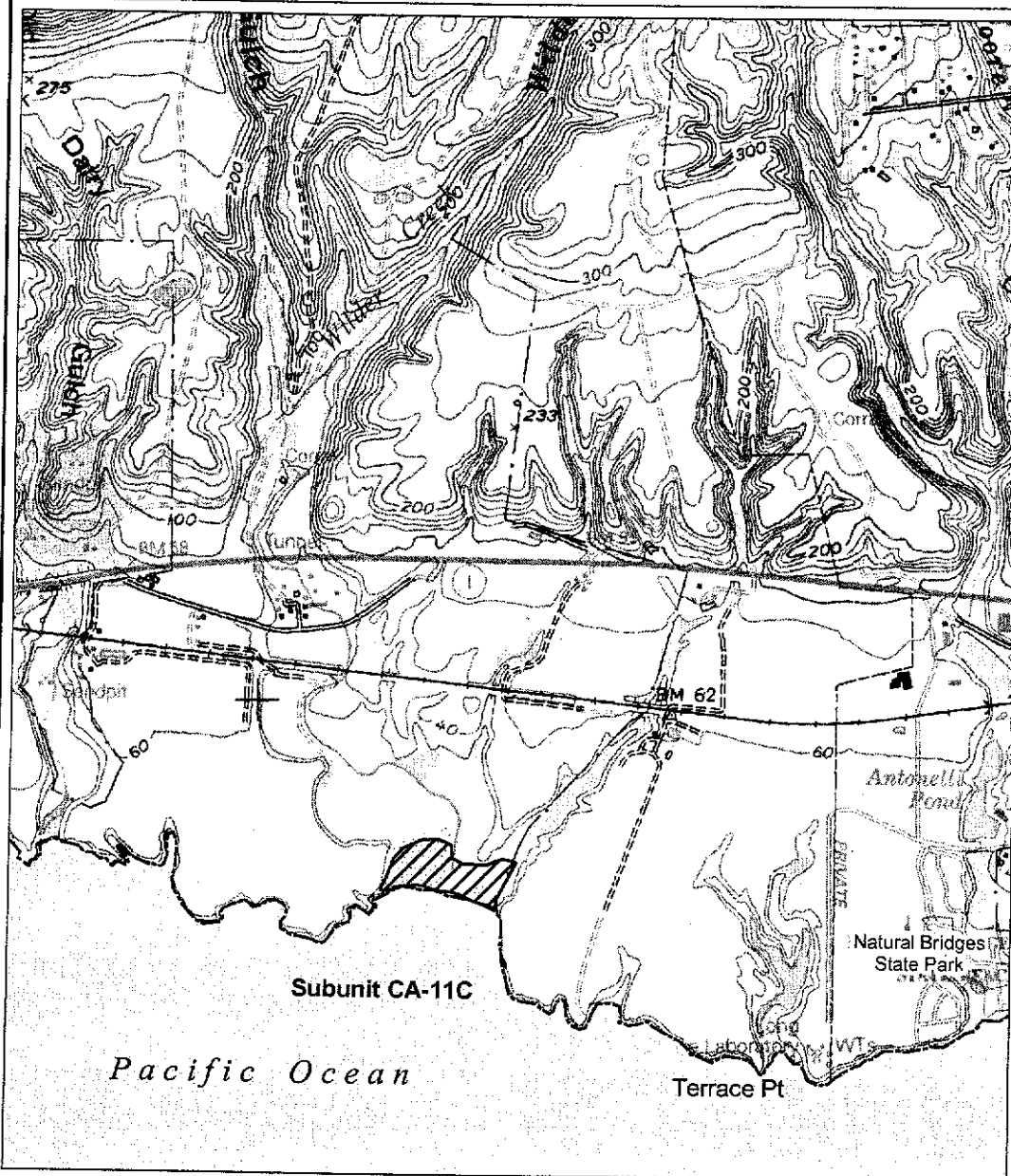
Western Snowy Plover Proposed Critical Habitat Unit

0.3 0 0.3 Miles

0.5 0 0.5 Kilometers



Map 42. Wilder Creek Beach (CA-11C), Santa Cruz County, California.



Legend



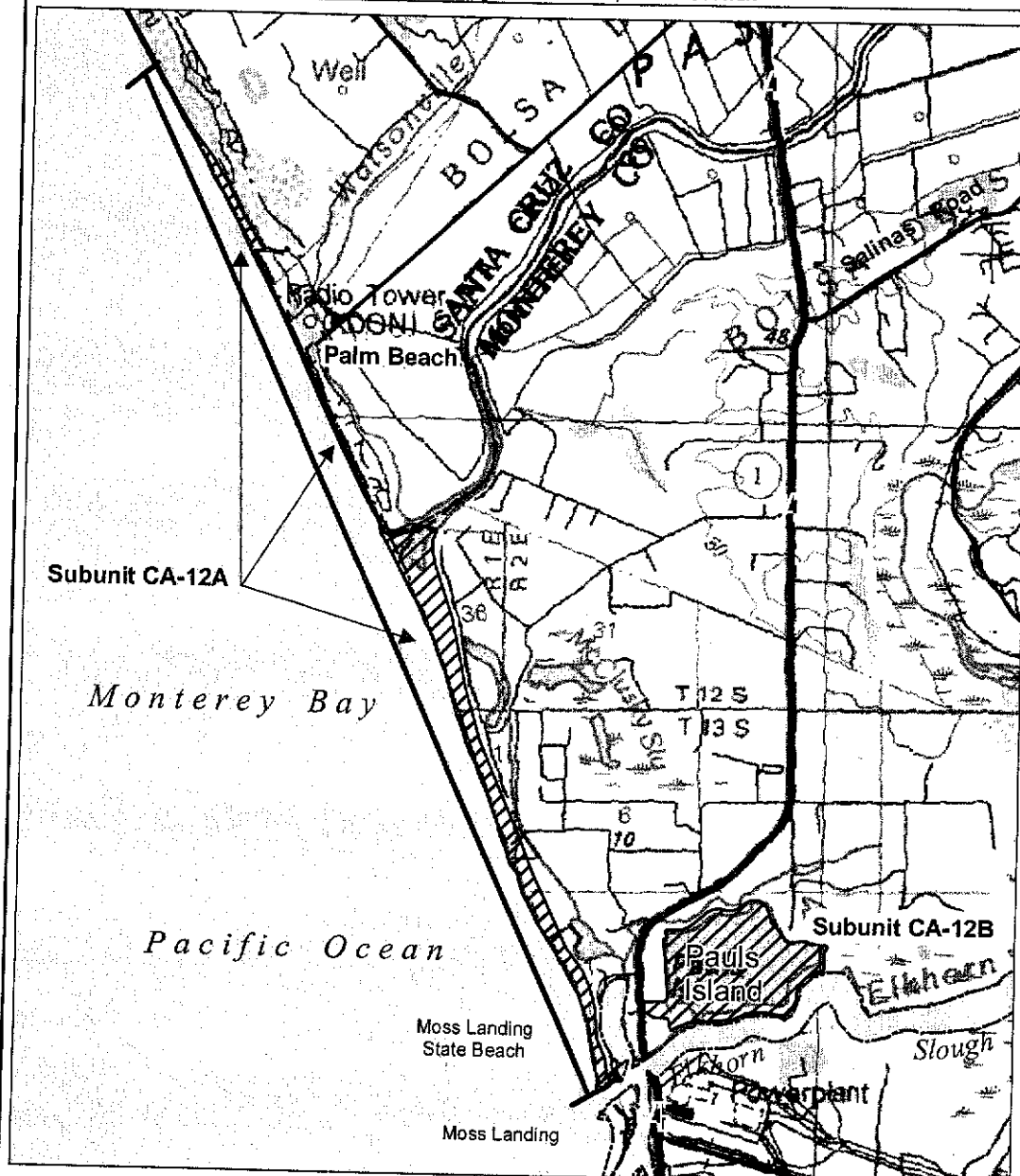
Western Snowy Plover Proposed Critical Habitat Unit

0.3 0 0.3
Miles

0.5 0 0.5
Kilometers

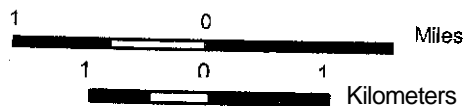


Map 43. Jetty Road to Aptos (CA-12A) and Elkhorn Slough Mudflat (CA-12B), Santa Cruz and Monterey Counties, California.

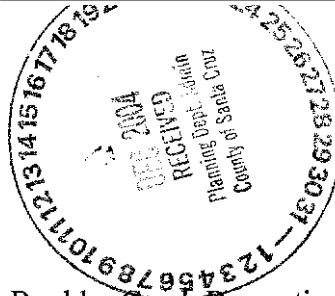


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 Western Snowy Plover Proposed Critical Habitat Unit



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Park District
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Boulder Creek, CA 95006

Santa Cruz County Fish &
Game Advisory Commi tee
701 Ocean St. 4th Floor
~~Santa~~ Cruz, CA 95060
ATTN: Donna Bradford

December 5, 2005

To the Committee and staff:

I would like to thank you for the time you spent considering the BCRPD adult fish passage project. (We are also grateful for your decision to provide funding!) The diligence **and** seriousness of purpose **with** which your committee members pursue their mission is impressive.

We will keep the Advisory Committee apprised of progress on this project and share with you all news of accomplishment. Thank you again for your time and assistance.

Sincerely,

April M. Terrell, Chair
Board of Directors
Boulder Creek Rec. & Park District