

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; Proposal of Critical Habitat for One Species of Butterfly**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposal of Critical Habitat for the Palos Verdes blue butterfly.

SUMMARY: The Service proposes Critical Habitat for the Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*). Endangered status was proposed for this species on July 3, 1978 (43 FR 28938-45). This rule proposes to determine Critical Habitat for this species, to comply with the 1978 Endangered Species Act Amendments.

DATES: Comments from the public must be received by May 27, 1980. Comments from the Governor of California must be received by May 27, 1980. A public meeting on this proposal will be held on April 18, 1980. A public hearing will be held on May 2, 1980.

ADDRESSES: Interested persons or organizations are requested to submit comments to Director (OES), U.S. Fish and Wildlife Service, Washington, D.C. 20240. Comments and materials relating to this rulemaking are available for public inspection during normal business hours at the Service's Office of Endangered Species, Suite 500, 1000 North Glebe Road, Arlington, Virginia 22201. The time and place of the public meeting on this proposal are presented in the table below.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240, (703/235-2771).

SUPPLEMENTARY INFORMATION:**Background**

The Palos Verdes blue butterfly was proposed as an Endangered species on July 3, 1978 (43 FR 28938-45). Critical Habitat for the butterfly was not proposed at that time. The present rulemaking complies with the 1978 Endangered Species Act Amendments, which require, to the maximum extent prudent, that Critical Habitat be proposed at the time any regulation proposes any species to be Endangered or Threatened.

The Palos Verdes blue butterfly is known to have occurred at four restricted localities on the Palos Verdes peninsula, Los Angeles County, California. One of the localities has been developed for housing and the butterfly no longer occurs there. A report (Arnold, 1980) received since the

July 3, 1978 proposal indicates that two of the three remaining localities have been adversely affected by weed control practices which threaten the butterfly's host plant, a species of *Astragalus*.

No information has been received that would warrant a change in the previously proposed status of the species.

Literature Cited

Arnold, R. A. 1980. Status of proposed Threatened or Endangered California Lepidoptera. Interior report on Contract #5-1620 with California Department of Fish and Game.

Opler, P. A., and L. K. Williams, 1978. Proposed Endangered or Threatened status or Critical Habitat for ten butterflies or moths. *Federal Register* 43 (128): 28938-45.

Summary of Factors Affecting the Species

The Palos Verdes blue butterfly is known to occur only at three localities on the Palos Verdes peninsula, Los Angeles County, California. The major threats to the remaining populations are land development for housing or recreational purposes. Examples of activities which could adversely affect the butterfly include:

- (1) Weed control practices, including rototilling of weeds for fire prevention, which destroys the butterfly's host plant.
- (2) Increased human disturbance from recreational development.
- (3) Future development of housing.

Critical Habitat

The Act defines "Critical Habitat" as (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of Section 4 of this Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection; and (ii) specific areas outside the geographic area occupied by the species at the time it is listed in accordance with the provisions of Section 4 of this Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

The Service believes that certain areas occupied by the Palos Verdes blue butterfly should be designated as Critical Habitat because they include a constituent element essential to the butterfly's conservation; the coastal chaparral colonies of *Astragalus trichopodus leucopsis* which is the butterfly's only host plant. This butterfly

occupies an extremely limited range and is susceptible to changes in its habitat. Because changes in the areas occupied by this species could result in its extinction, designation of Critical Habitat is essential for the conservation of this butterfly.

Section (b)(4) of the Act requires the Service to consider economic and other impacts of specifying a particular area as Critical Habitat. The Service has prepared a draft impact analysis and believes that economic and other impacts of this action are not significant in the foreseeable future. The Service is notifying Federal agencies that may have jurisdiction over the land and water under consideration in this proposed action. These Federal agencies and other interested persons or organizations are requested to submit information on economic or other impacts of this proposed action (see below).

The Service will prepare a final impact analysis prior to the time of final rulemaking, and will use this document as the basis for its decision as to whether or not to exclude any area from Critical Habitat for the Palos Verdes blue butterfly.

Effect of This Proposal if Published as a Final Rule

Section 4(f)(4) of the Act requires that any proposal to determine Critical Habitat be accompanied, to the maximum extent practicable, by a brief description and evaluation of those activities which, in the opinion of the Secretary, may adversely modify such habitat if undertaken, or may be impacted by such designation. Activities which may affect the proposed Critical Habitat are identified below for this species. It should be emphasized that Critical Habitat designation may not in turn affect each of the activities listed below, as Critical Habitat designation only affects Federal agency activities, through Section 7 of the Act.

1. With regard to the Palos Verdes blue butterfly, the major threat to its continued existence is land management practices in the limited areas where it occurs. Rototilling of weeds for fire prevention adversely affects the butterfly's host plant, a species of *Astragalus*.

2. Increased recreational use, especially at one locality which has been designated a city park, could adversely affect the butterfly and its food plant by trampling of the foodplant and habitat.

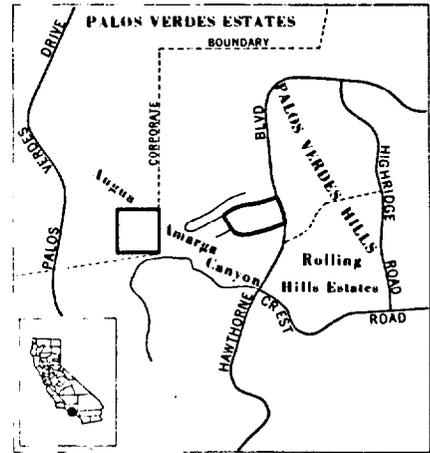
The Service has investigated these activities, and was unable to find any Federal involvements. Therefore, the Service's draft economic analysis

anticipates no effect from Critical Habitat designation, as such designation only affects federal actions. The Service will consider any new information it receives concerning economic, and other, effects of designating Critical Habitat.

Public Meeting and Hearing

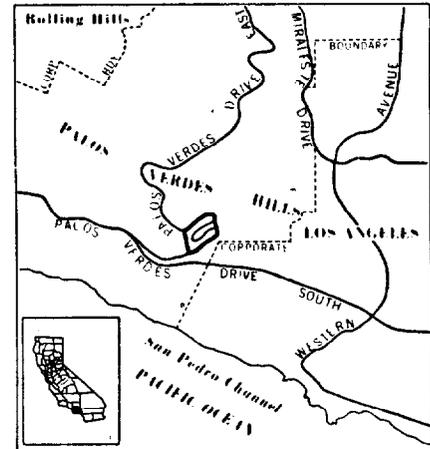
The Service hereby announces a public meeting and hearing on this proposed rule. The public is invited to attend these meetings and to present opinions and information on the proposal. Specific information relating to the public meetings is set out below:

Place	Date	Time	Subject
Public Meeting			
Public Personnel Building, 30940 Hawthorne Boulevard, Rancho Palos Verdes, California.	Apr. 18, 1980	7:30-10:30 p.m.	Palos Verdes blue butterfly.
Public Hearing			
Public Personnel Building, 30940 Hawthorne Boulevard, Rancho Palos Verdes, California.	May 2, 1980	7:30-10:30 p.m.	Palos Verdes blue butterfly.



3. Palos Verdes Drive Zone. Rancho Palos Verdes. The switchback area of Palos Verdes Drive East, bounded by a line connecting the two eastern curves, a line parallel to and 0.3 kilometers southwest of this line, and the upper and lower portions of Palos Verdes Drive East.

Palos Verdes Blue Butterfly
(Palos Verdes Drive Zone)
Los Angeles County, Calif.



Dated: March 20, 1980.
Robert S. Cook,
Acting Director, Fish and Wildlife Service.
[FR Doc. 80-9088 Filed 3-25-80; 8:45 am]
BILLING CODE 4310-55-M

Public Comments Solicited

The Director intends that the rules finally adopted be as accurate and effective as possible in the conservation of the Palos Verdes blue butterfly. Therefore, any comments or suggestions from the public, concerned governmental agencies, the scientific community, industry, private interests or any other interested party concerning any aspect of this proposed rule are solicited. The Service particularly requests comments on the following:

1. Biological and other relevant data concerning any threat (or lack thereof) to this species;
2. Additional information concerning the range and the distribution of the species;
3. Current or planned activities in the subject areas;
4. The probable impacts on such activities if the area is designated as Critical Habitat, and
5. The foreseeable economic and other impacts of the Critical Habitat designation.

National Environmental Policy Act

A draft environmental assessment has been prepared and is on file in the Service's Washington Office of Endangered Species. The assessment will be the basis for a decision whether this determination is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969.

The primary author of this rule is Dr. Michael M. Bentzien, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1975).

Note.—The Department of the Interior has determined that this is not a significant rule and does not require preparation of a regulatory analysis under Executive Act 12044 and 43 CFR Part 14.

Regulation Promulgation

Accordingly, it is hereby proposed to amend Part 17, Subchapter B of Chapter I, Title 50 of the Code of Federal Regulations, as set forth below:

§ 17.95 [Amended]

1. It is proposed that § 17.95(i), Insecta, be amended by adding Critical Habitat of the Palos Verdes blue butterfly as follows:

Palos Verdes Blue Butterfly
(*Glaucopsyche Lygdamus Palosverdesensis*)
California. Los Angeles County. (1) Agua Amarga Canyon Zone. Palos Verdes Estates. A square area of land 0.4 × 0.4 kilometers located at the southeast corner of the southernmost corporate boundary of Palos Verdes Estates.

2. Frank Hesse Park Zone. Rancho Palos Verdes. An area enclosed by Hawthorne Boulevard and Locklema Lane.

Palos Verdes Blue Butterfly
(*Agua Amarga Canyon and Frank Hesse Park Zones*)
Los Angeles County, Calif.