

Facts and Q&A's About Suisun thistle and soft bird's-beak

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Suisun thistle is a perennial herb in the aster family. It is a slender plant with erect stems that are approximately 3 to 7 feet tall with deep to pale rose-purple colored flower heads that grow singly or in loose clusters. Remaining populations occur in undiked high tidal marshes. These marshes are characterized as having natural tidal hydrology with small tidal channels in the higher marsh elevations that grade into larger tidal sloughs at lower marsh elevations.

Soft bird's-beak is a root hemi-parasitic annual herb in the snapdragon family. It grows 4 to 16 inches tall with grayish-green foliage, often tinged a deep red to purple, and inconspicuous spike-shaped clusters of white or yellowish-white flowers. Most remaining populations are in undiked high tidal marshes with the same physical characteristics as described above.

Suisun thistle is endemic to high tidal marshes within Suisun Marsh in the southwestern portion of Solano County, California, near Suisun Bay. Soft bird's-beak is endemic to high tidal marshes in the San Pablo Bay and Suisun Bay areas. Currently, both species are found in widely scattered populations within their respective historic areas.

Both species are threatened by the loss, fragmentation and degradation of tidal marsh habitat in the San Francisco Bay Estuary. Over the last 200 years, San Pablo Bay and Suisun Bay have seen 70 and 79 percent reductions in tidal marshes, respectively. A large portion of historic tidal marshes in San Pablo Bay are diked and managed for agricultural production and livestock grazing. In Suisun Bay, most historic tidal marshes are diked and managed for wildlife, especially waterfowl. Suisun Marsh, the largest managed marsh in the estuary, provides wintering feeding habitat for migrating waterfowl. These historic reductions in turn have affected the extent and composition of tidal marsh plant communities. As a result, many native salt-tolerant plants are exceedingly rare in tidal marshes within the estuary.

Q. What is the history of today's action?

A. Suisun thistle and soft bird's-beak were listed as endangered on November 20, 1997. At the time, the Service determined that designation of critical habitat was not prudent because it would not be beneficial to the conservation of the two species. On November 17, 2003, a lawsuit was filed in the Northern District of California (Center for Biological Diversity, et al. v. Gale Norton, Secretary of the Department of the Interior, et al., CV 03-5126-CW). On June 14, 2004, the court approved a stipulated settlement between the two parties. In the settlement, the Service agreed to propose critical habitat for the two plant

species on or before April 1, 2006, and finalize the designation on or before April 1, 2007.

Q. What is critical habitat?

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

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.

Q. What are the critical-habitat units?

A. The three units for Suisun thistle, all in the Suisun Marsh area of Solano County, are:

- **Unit 1 -- Hill Slough Marsh** -- Approximately 525 acres north of Potrero Hills between Grizzly Island Road and Highway 12. This unit is unoccupied by the species but considered essential because it contains all the necessary habitat features. It consists of approximately 440 acres of State-owned land (Hill Slough Wildlife Area), which is managed by the California Department of Fish and Game, and 85 acres of privately owned land.
- **Unit 2 -- Peytonia Slough Marsh** -- Approximately 342 acres, down from 413 acres in the original proposal, in the area bounded by Cordelia Road to the west, Suisun Slough to the east, Peytonia Slough to the south, and Suisun City to the north. The unit consists of approximately 190 acres of State-owned land (Peytonia Slough Ecological Reserve), which is managed by the California Department of Fish and Game, and 152 acres of privately owned high tidal marsh.
- **Unit 3 -- Rush Ranch/Grizzly Island Wildlife Area** -- Approximately 1,181 acres adjacent to Suisun Slough to the west, Cutoff and Montezuma Sloughs to the south, and Potrero Hills to the North. This unit consists of 231 acres of State-owned land (the Joice Island portion of Grizzly Island Wildlife Area), which is managed by the California Department of Fish and Game, and 950 acres of land owned by the Solano Land Trust (local non-profit public land trust).

The five units for soft bird's-beak are:

- **Unit 1 -- Fagan Slough Marsh (Napa County)** -- Approximately 384 acres, down from 407 acres in the original proposal, adjacent to the Napa River to the west, Napa County Airport to the east, Fagan Slough to the south, and Steamboat Slough to the north. This unit consists of 297 acres of State-owned land (Fagan Slough Ecological Reserve), which is managed by the Department of Fish and Game, six acres of County-owned land, 15 acres of land owned by the City of Napa, and 72 acres of privately owned land.
- **Unit 2 -- Hill Slough Marsh (Solano County)** -- Approximately 525 acres north of Potrero Hills between Grizzly Island Road and Highway 12. The unit consists of approximately 440 acres of State-owned land (Hill Slough Wildlife Area),

which is managed by the Department of Fish and Game, and 85 acres of privately owned land.

- **Unit 3 -- Point Pinole Shoreline (Contra Costa County)** -- Approximately 22 acres along the Contra Costa shoreline in San Pablo Bay just east of Point Pinole. This unit consists of 13 acres of County-owned land (Point Pinole Regional Shoreline Park), which is managed by the East Bay Regional Parks District, and 9 acres of State-owned land.
- **Unit 4 -- Rush Ranch/Grizzly Island Wildlife Area (Solano County)** -- Approximately 1,181 acres adjacent to Suisun Slough to the west, Cutoff and Montezuma Sloughs to the south, and Potrero Hills to the North. This unit consists of 231 acres of State-owned land (Joice Island portion of the Grizzly Island Wildlife Area), which is managed by the Department of Fish and Game, and 950 acres of land owned and managed by the Solano Land Trust (local non-profit public land trust).
- **Unit 5 -- Southampton Marsh (Solano County)** – About 164 acres, down from 178 acres originally proposed, of State-owned land managed by Department of Parks and Recreation as a wetland natural preserve. The unit is located in the Benicia State Recreational Area along Interstate Highway 780 and just northwest of the City of Benicia.

Q. Has the Service prepared a recovery plan for these species?

A. Both of these species will be included in the Tidal Marsh Ecosystem Recovery Plan, which is under development and which will include other species such as the endangered salt marsh harvest mouse and the California clapper rail.

Q. When does the rule take effect?

A. The rule becomes effective 30 days after publication in the Federal Register.