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Plan to save frog meets criticism

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STOCKTON - Environmentalists are lashing out at the federal government's latest plans to save the red-legged frog, a once popular Central Valley amphibian now on the brink of extinction.

Wildlife officials on Thursday designated only a fraction of land they had originally proposed as protected habitat for the frog, which is believed to be the hero in Mark Twain's short story, "The Celebrated Jumping Frog of Calaveras County."

"It pretty much guarantees the species isn't going to recover," said Jeff Miller, a spokesman for the Center for Biological Diversity in San Francisco, which supported a larger amount of habitat.

The relatively large and spotted frog was listed as a threatened species in 1996 under the U.S. Endangered Species Act.

The U.S. Fish and Wildlife Service initially proposed creating 5.4 million acres of critical habitat for the frog. Critical habitat is land that is protected from development or other changes that would harm animals that live there.

The building industry sued, arguing the agency's proposal was excessive. In

2002, a federal judge found problems in the agency's economic analysis and ordered officials to start over.

Wildlife officials in November proposed 738,000 acres of habitat and lopped off another 250,000 acres for their final rule on Thursday. Most of the land that was originally considered critical habitat was land where the frogs were not actually found, only land where officials thought frogs could survive, Fish and Wildlife spokesman Al Donner said.

The frog's population steadily dropped as people moved into the Valley and commercial development grew. Frogs are now known to breed mostly in the stock ponds of cattle ranchers, Donner said.

The final habitat rule encourages cooperation between wildlife officials and private landowners, and makes it easier for ranchers to keep artificial stock ponds. "We think we made an intelligent decision how best to help the frog," Donner said.

Oddly, a recent discovery of red-legged frogs at a Calaveras County ranch was not enough to keep the area listed as critical habitat.

The frogs disappeared from the county where they were made famous but were spotted again on a private pond in 2003. Fish and Wildlife officials are helping

the landowner create more ponds for the frogs. But officials decided not to pursue a critical habitat designation because they want other landowners to voluntarily help the frog.

Meanwhile, a legal battle over the habitat issue may continue.

"No decision has been made yet, but I suspect that legal action is firmly possible and even likely," said Michael Sherwood, an attorney with Earthjustice, which represents environmental causes.

But the Home Builders Association of Northern California, which successfully sued Fish and Wildlife to reduce the amount of frog habitat, isn't totally happy, either.

The conflict over the critical habitat process shows it is broken, said Paul Campos, an attorney for the group.

The home builder group has supported efforts to reform the Endangered Species Act, including recent legislation authored by Rep. Richard Pombo, R-Tracy. Pombo's effort has currently stalled in the U.S. Senate.

"This should be a wake-up call to Congress that they need to redo the Endangered Species Act and not let the reform movement that was generated this year die," Campos said.