

News

FROG SPECIES GAINS GROUND WITH OFFICIALS

LAND INCREASE FOR HABITAT PROPOSED

By **Alex Breitler**

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Record Staff Writer

The celebrated California red-legged frog may gain more protections - at least on paper - following an investigation of a former high-ranking Department of Interior official.

The U.S. Fish and Wildlife Service on Tuesday proposed quadrupling the threatened frog's "critical habitat," lands where the frog is known to exist, or lands that may be needed for its eventual recovery.

Critical habitat can slow down or stop development if scientists believe the frogs are imperiled. However, federal officials say critical habitat in reality affords little extra protection for most species.

The frog is one of eight species reviewed by Fish and Wildlife after it was revealed that former Deputy Assistant Secretary Julie MacDonald may have had "inappropriate influence" over decisions concerning endangered species. MacDonald, said to have pressured staff scientists, resigned in May 2007.

Tuesday's news is the latest twist in an amphibian saga that has seen proposed frog habitat plummet from 4.1 million acres in 2001 to 450,000 acres in 2006, now rebounding to 1.8 million acres in 28 counties, including Calaveras and San Joaquin.

"It's better than what was last proposed but still only half of the area that their scientists said are essential for recovering the species," said Jeff Miller, a spokesman for the Center for Biological Diversity. Miller's environmental group has sued the feds, saying that their prior critical habitat plans violate the law.

Under the latest plan, about 4,500 acres of private ranchland in Calaveras County would be considered habitat, as well as the far southwestern corner of San Joaquin County and the hills around the Altamont Pass.

What does this mean for the people who live or own property there?

While these lands are not akin to wildlife refuges, designating them critical habitat can be an impediment to growth. For example, an agency planning to build a highway through critical habitat would have to check first with Fish and Wildlife scientists and find ways to minimize the harm to frogs.

Developers who need federal permits also could find critical habitat to be a stumbling block. But individual landowners are usually not affected.

Critical habitat can spur lawsuits by those hoping to block the construction of schools or new neighborhoods, said Paul Campos, vice president of government affairs for the Home Builders Association of Northern California. His group also sued Fish and Wildlife when it first proposed 4.1 million acres for the frog.

"It is much more difficult in many instances to use land that is designated as critical habitat," Campos said.

"This isn't just about the red-legged frog," he added. "It's a broad agenda by a very narrowly focused group (the Center for Biological Diversity) to use federal environmental law to hijack land use in California."

An analysis on how much the critical habitat rule would cost is pending. The previous designation of 450,000 acres was expected to have an economic impact of nearly \$500 million, according to Fish and Wildlife documents.

In a statement, Fish and Wildlife Assistant Regional Director Mike Fris called the frog a "California icon," made famous in Mark Twain's "The Celebrated Jumping Frog of Calaveras County."

"The goal of the service is to help recover this species," he said. The frog was once a food delicacy and has been

harmed by the introduction of bullfrogs and the conversion of wetlands to agricultural fields.

Contact reporter Alex Breitler at (209) 546-8295 or abreitler@recordnet.com.

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Public comments on the red-legged frog will be accepted through Nov. 17. Comments can be submitted at www.regulations.gov.