

# Verde Independent

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## Threatened frog threatens Fossil Creek cattle grazing

**By Steve Ayers**  
**Staff Reporter**

FOSSIL CREEK - Contending that the Forest Service and the Fish and Wildlife Service are allowing cattle to destroy critical habitat for the endangered Chiricahua leopard frog, the Center for Biological Diversity has filed suit in federal court against both agencies to stop grazing in the area around Fossil Creek.

At stake is the present and future use of approximately 42,000 acres of grazing land between State Route 260 and Fossil Creek, an area known to the Forest Service and cattlemen as the Fossil Creek allotment.

According to the complaint, federal biologists failed to take the necessary steps to limit the “incidental take” of frogs due to habitat degradation as a result of grazing when they signed off on the grazing proposal. “Take” is a euphemism for killing.

According to those same federal biologists, the Fossil Creek watershed is the last remaining sanctuary for the Chiricahua leopard frog on the Coconino National Forest. The frog is listed as threatened under the Endangered Species Act.

Grazing on the Fossil Creek allotment was curtailed for most of the last decade, because drought and soil damage had allowed for only limited use, before the Forest Service reopened it in September 2009, turning loose 290 head of cattle.

Soil conditions and perennial water sources continue to degrade in over two thirds of the allotment area according to a report from the Forest Service.

Soil erosion from grazing, according to the CBD causes sediment to collect in ponds and streams, harming aquatic life.

According to the complaint filed with the U. S. District Court for Arizona, cattle were completely removed in 2004 due to lack of adequate forage and water, and that in 2006, then Arizona Congressman Rick Renzi pressured the Forest Service to reopen the allotment.

The current permittee for the Fossil Creek allotment is J.P. Morgan-Chase, a global financial services firm.

According to Jay Lininger, spokesperson for the Center for Biological diversity, the suit was filed because the Forest Service has acted in an irresponsible

manner, by not adequately protecting critical habitat necessary for the frog’s recovery in danger.

“Federal biologists are ignoring the needs of Chiricahua leopard frogs and letting cattle drive it to extinction,” says Lininger.

The suit alleges that the Forest Service and Fish and Wildlife Service, collectively or individually, violated the Endangered Species Act, National Forest Management Act and National Environmental Policy Act in the issuing of the grazing permit. They are requesting the court invalidate the permit.

Coconino National Forest officials said they are unable to comment on the lawsuit at this time.



According to a suit filed by the Center for Biological Diversity, cattle grazing in the Fossil Creek area is threatening the critical habitat of the already threatened Chiricahua leopard frog. The suit alleges the Forest Service and Fish and Wildlife Service acted improperly by reopening the area to grazing last year, and requests that the court nullify the grazing permit. Right: Chiricahua leopard frog. (courtesy of Arizona Game and Fish)

