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Despite pleas and amid 20,000 comments, frogs get designated habitat

By Michael Doyle
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WASHINGTON- The Fish and Wildlife Service has stuck to its guns and is designating 1.8 million acres of mostly public California land as habitat critical for the preservation of the Yosemite toad and two frog species peculiar to the Sierra Nevada mountains.

Years in the making, the politically sensitive decision, to be made final Friday, potentially affects future land management decisions in 16 counties from Lassen in the north to Fresno in the south. Grazing, logging and hydroelectric dam operations in the region must take the amphibians into account.

In return, the critical habitat designation that once pit federal agencies against one another and drew more than 20,000 public comments is supposed to help preserve the Yosemite toad, Sierra Nevada yellow-legged frog and mountain yellow-legged frog.



The Fish and Wildlife Service has stuck to its guns and is designating 1.8 million acres of mostly public California land as habitat critical for the preservation of the Yosemite toad (shown) and two frog species peculiar to the Sierra Nevada mountains. Rob Grasso National Park Service

“It’s a pretty big designation,” Jennifer Norris, Sacramento-based field supervisor for the Fish and Wildlife Service, said in an interview Thursday, adding that “we have identified the highest-benefit land to get these species off the (Endangered Species Act) list.”

The Yosemite toad, for one, likes a good, wet meadow. The yellow-legged frogs cluster around high-elevation bodies of water.

The Interior Department agency is making the designation final with its publication Friday in the Federal Register.

The often-overlapping areas comprise about 1 million acres for the Sierra Nevada yellow-legged frog, 221,498 acres for a distinct population of the mountain yellow-legged frog and 750,926 acres for the Yosemite toad.

Critical habitat is land that's deemed essential for the conservation of a threatened or endangered species and that may require special management. It is not a refuge or fenced-off wilderness, and Fish and Wildlife Service officials say it doesn't really affect strictly private property actions.

Other federal agencies, though, must consult with the Fish and Wildlife Service on actions they take, fund or authorize to ensure that they will not destroy or endanger critical habitat. This could cover, for instance, the issuance of grazing permits or hydroelectric licenses.

Officials peg the costs associated with the critical habitat designation at \$630,000 to \$1.5 million over 17 years. Norris said that though federal officials had already been consulting on their actions, as required under the Endangered Species Act, the critical habitat requirements imposed a "second layer" of protections.

"This is an important step for saving the vanishing amphibians of the high Sierra Nevada, which have suffered massive declines in recent decades and disappeared from most of the Sierra lakes and streams where they once lived," said Jeff Miller, conservation advocate for the Center for Biological Diversity.

The Arizona-based environmental group has frequently sued federal agencies over the protection of plants and animals under the Endangered Species Act, which now covers 302 California species. In 2000, the group petitioned to protect the Yosemite toad and yellow-legged frogs.

In 2014, the Fish and Wildlife Service listed the two yellow-legged frog species as endangered, while the Yosemite toad was characterized as threatened.

"Yes, 14 years is a long time to take to list imperiled species," Miller said.

It has also been, at times, tumultuous.

Echoing the concerns of local ranchers, property owners and others, Reps. Doug LaMalfa, R-Richvale, and Tom McClintock, R-Elk Grove, organized three community forums devoted to the topic. The 20,702 public comments filed with the Fish and Wildlife Service from 2013 to 2014 included a barrage of personal pleas, technical analyses and many, many form letters.

"The negative economic impact on these counties and their residents would be devastating if these proposals were to be approved," Donna Furlow, a resident of Granite Bay, California, declared in one typical letter.

Several federal agencies asked the Fish and Wildlife Service to scale back parts of the critical habitat proposal, first published in 2013. The Forest Service asked for the removal of certain land in Inyo County, while the Marine Corps asked that its Mountain Warfare Training Center near Bridgeport, California, be excluded.

In both cases, the Fish and Wildlife Service declined to revise its proposal.

“We do not anticipate significant impact on USMC training activities and thus national security in this area,” the agency said, adding that “we look forward to working with (other agencies) to coordinate future activities within critical habitat.”

Responding to many other requests, though, the Fish and Wildlife Service did remove Echo Lake in El Dorado County, along with about 60 other Sierra Nevada lakes used for recreation, from the critical habitat.